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Legislative Assembly
of Ontario

First Session, 35th Parliament

**Official Report
of Debates
(Hansard)**

Tuesday 11 June 1991

Assemblée législative
de l'Ontario

Première session, 35^e législature

**Journal
des débats
(Hansard)**

Le mardi 11 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 11 June 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

BILINGUISME EN ONTARIO

M. Poirier : La communauté franco-ontarienne a tenu, au cours de la dernière fin de semaine, à Toronto, son premier Sommet de la francophonie ontarienne. Le but de cette assemblée était d'élaborer un plan de développement global de la communauté franco-ontarienne.

J'ai noté avec intérêt la présence vendredi soir du ministre fédéral des Affaires constitutionnelles, le très honorable Joe Clark. Dans son discours, M. Clark a exprimé, entre autres, le souhait de voir d'autres provinces suivre l'exemple du Nouveau-Brunswick et se déclarer officiellement bilingues. Évidemment, l'invitation était surtout lancée à l'Ontario, vu les circonstances. Et quelle fut la réaction du gouvernement néo-démocrate de l'Ontario en guise de réplique au souhait de M. Clark et à celui de la communauté franco-ontarienne ? Le ministre délégué aux Affaires francophones, de passage au Sommet le lendemain de la visite de M. Clark, réaffirmait la position des néo-démocrates que l'Ontario ne serait pas déclaré officiellement bilingue, mais que l'accent serait plutôt mis sur le développement des services à la communauté franco-ontarienne.

Voici donc le ministre délégué aux Affaires francophones qui vient nous dire encore une fois le maintien du statu quo, en utilisant les mêmes paroles répétées ad nauseam par les anciens chefs des gouvernements conservateurs de l'Ontario. Plus ça change, plus c'est pareil. Quel trait des belles paroles et de l'engagement du premier ministre, au cours de la dernière campagne électorale, à faire de l'Ontario une province officiellement bilingue.

DISPOSAL OF DEAD ANIMALS

Mr Villeneuve: I rise to report a growing health and environmental problem which is threatening all of rural Ontario.

The farm financial situation is causing many farmers to abandon the use of deadstock dealers in disposing of dead cattle, calves and hogs. They are simply unable to afford the fees being charged. Deadstock dealers have been forced to make up for 80% declines in rendering revenue and approximately 70% declines in the revenue from hide sales alone.

Under the Dead Animal Disposal Act the farmer must either bury a dead animal under at least two feet of earth within 48 hours of the loss or have it removed by a licensed deadstock dealer. As fees have gone up the number of animals removed by dealers has in some cases dropped by up to 60%. An increasing number of dead animals are being disposed of by farmers, sometimes in violation of the act. During winter, for example, we know that animals

are not being buried in the frozen ground and they are often just dumped.

The health and environmental implications are rather obvious. This government simply cannot allow deadstock dealers to disappear. We need them to protect our health and our waterways. So far this government is reviewing the act. It wants to research alternative disposal methods and to launch a communications campaign.

That is not good enough. Without dealers, the problem will escalate. This government has its own study of the industry which indicates major operating losses for the foreseeable future. We need action, not ads.

ANNIVERSARY OF CHIN RADIO-TV INTERNATIONAL

Mr Perruzza: Today I would like to take the opportunity to congratulate CHIN Radio-TV International for its 25th anniversary, which it celebrated on Thursday 6 June. Mr Lombardi, the founder and president of CHIN, has spent more than 40 years promoting multiculturalism and multilingualism because he believed there was a need to serve new Canadians in their own language so they could participate in their communities and eventually become citizens.

Mr Lombardi once told his loyal listeners in a New Year's message: "Most of you who speak out in languages and cultures other than English and French came over as landed immigrants. You chose this Canada of ours as your new home. Some of you came as disabled persons, the result of war. Some of you landed as an adventure. For whatever reason you came, you stayed. To those of you who stayed to help, to rebuild your lives, to raise families, to contribute immensely to the fabulous growth of our city, our province, our country, let me say thank you for your daring, for your courage, for your love of democracy and for your Canadian style." Today I would like to say thank you to Mr Lombardi and CHIN for everything they have done for our multicultural communities.

CHIN Radio is one of the most extensive multicultural-multilingual broadcasting radio stations in the world. Today CHIN broadcasts in 30 languages and more than 30 cultural communities in the greater Metropolitan Toronto and southern Ontario areas and has weekend service on Global TV and CITY TV. CHIN is always reaching out to the communities it serves in an effort to bring people of all ages and cultural backgrounds together. One example of this is the annual picnic, which brings together 250,000 people each year.

Again, I would like to congratulate CHIN for its 25 very successful years and wish it many more.

AMBULANCE SERVICES

Mr Mahoney: I would like to bring to the attention of the House and particularly to the Minister of Health the recent article in the Mississauga News with the headline "Ambulance Cutbacks Put Lives in Jeopardy."

It goes on to say, "Recent cutbacks within the Halton-Mississauga Ambulance Service may have cost a life," according to a medical attendant. This attendant, who requested anonymity to avert reprisals at work, which is scary in itself, said he and many fellow ambulance officers feel their safety and patients' health are at risk because of recent Ministry of Health changes that have stripped down emergency services.

He illustrated the point with a story of an ambulance worker who said a crew stationed in the Cawthra Road-Queensway area had to respond recently to a call at Dixie Road and Eglinton Avenue to an elderly person who had been found without vital signs. The response time was over 10 minutes, a very lengthy time, I am sure the minister would agree. This man felt that had the station at Dixie and Britannia roads been staffed that shift, the response time could have been cut to five minutes.

I would ask the Minister of Health to ask her staff to look at this situation and to review the level of ambulance service in our community. I would also ask her to look at the Shapiro report, which recommends regional ambulance service in our community. In fact, it was a resolution by Frank Bean and his council that supported that exact situation occurring. I recognize the smirks are because we did not do it, but we certainly supported it. I supported it as a local member and I would ask for her help in this very important issue.

VICTOR LING

Mr Eves: It is with great pleasure that I stand today in order to pay tribute to Dr Victor Ling for his outstanding achievement in having won one of the world's most prestigious international awards in cancer research, the General Motors Kettering medal.

Dr Ling will be honoured today for the most important recent discovery in diagnosis or treatment of cancer. This acknowledgement is extremely important because it is the first time a Canadian scientist has won this award, considered second only to the Nobel Prize for cancer research.

Dr Ling is the head of the molecular and structural biology division at Princess Margaret Hospital- Ontario Cancer Institute and is also a professor of medical biophysics at the University of Toronto. I would like other members of the Legislature to join with me today in congratulating Dr Ling for having made all Canadians and the people of Ontario extremely proud.

1340

RECYCLING

Mr Drainville: Exciting developments are happening in my riding of Victoria-Haliburton around the development of recycling projects. Specifically, I am proud of the efforts of the Victoria Recycling Association to effectively reduce the amount of material ending up in our landfill sites. Our efforts, as I mentioned in an earlier statement, are recognized as being among the most effective in the province today.

Our community is also actively working to use recycled material in manufacturing. Using the resources of the ministries of the Environment and Industry, Trade and Technology, I am working side by side with our municipal

governments and local businesses to make Victoria-Haliburton a leading community in the fight to have a safe and economically sustainable environment. We are developing plans to make significant inroads into streamlining what was once considered waste towards the production of useful commodities.

It is the efforts of the residents, businesses and local government of Victoria-Haliburton which will stop the destruction of our environment. It is the job of politicians and government to help them create a vision of what a green world can be, and then to support their efforts. In other words, we must all think globally and act locally.

I ask the members of this House to join me in thanking the members of the Victoria Recycling Association for their efforts to make our world just a little bit better to live in.

NEWMARKET VETERANS

Mr Beer: Communities across the country are currently welcoming home armed forces personnel who served in the Persian Gulf. It is my pleasure to rise today in the House and tell you of a group of veterans who have continued their service long after their battle years were over.

This week, the Newmarket Veterans' Association celebrates its 75th anniversary of public service in the Aurora-Newmarket area. This association was started in 1916 by four First World War veterans who were determined to give as much in peacetime as they had in war. It has grown into a community of over 300 caring men and women who quietly go about the job of making ours a better place to live.

Fellow veterans and their families who need moral or financial support can turn to the members of the NVA. Local branches of organizations such as the Canadian Cancer Society, the Heart and Stroke Foundation, St John Ambulance and the Salvation Army can depend on the vets to help in their annual campaigns. As well as caring for the living, the NVA takes great pride in the care and keeping of our local war monuments and the cemetery plots of fallen comrades.

This is an organization dedicated to remembering those who fell in battle and those who have passed on since. They live the words that most of us consider only on Remembrance Day, "Lest we forget." Please join me in congratulating the members of the Newmarket Veterans Association on the occasion of their 75th anniversary and thank them for their past, present and future service to community and country.

BICYCLING SAFETY

Mrs Cunningham: This afternoon in the Legislature I will be introducing my private member's bill, An Act to amend the Highway Traffic Act, 1991. This bill will make the wearing of helmets mandatory by bicyclists on our roads.

Each year in Canada over 60 children will die in bicycle accidents, most from head injuries. Over 5,000 children will be seriously injured. The statistics are overwhelming.

Bicycle safety helmets are highly effective in preventing head injury. In fact, it has been determined that wearing a helmet can decrease the risk of bicycle-related head injury by up to 85%. A bicycle helmet is the most important single piece of equipment for reducing the incidence of serious head injuries. Rehabilitation following a head injury is long, and in many cases the consequences are permanent.

Wearing an approved bicycle helmet is a preventive measure, yet in a study at the Children's Hospital of Eastern Ontario in 1988 it was found that even after an accident fewer children wear them. Legislation is vital to reducing cycling injuries and deaths.

This bill is scheduled for debate on 27 June during private members' hour. I look forward to support from all parties for referring this non-partisan legislation to a standing committee for further debate. It is necessary to protect citizens from head injury tragedies and the ongoing disabilities that change their lives for ever.

CHILD POVERTY

Mr Christopherson: It is with pride that I rise to inform members of this House of an innovative and creative initiative that is taking place in my community.

The Hamilton-Wentworth Child Poverty Forum is a project intended to mobilize the community to develop a comprehensive, community-based strategic plan for the elimination of the effects of poverty on children by the year 2000. Since it is necessary that solutions involve the many sectors that make up our community, groups representing labour, business, education, health and recreation will meet with people living the day-to-day reality of poverty to develop a concrete plan of action.

Hamilton-Wentworth is the first community in Canada that is taking this approach in looking at the root causes of child poverty. According to Mike Pennock, director of the Social Planning and Research Council of Hamilton and District, "Solving the monumental and serious problem of child poverty has never been attempted by a community in Canada." Mr Pennock has already received numerous calls and requests for information from across the country, including from the government of Saskatchewan.

Once again, the people of Hamilton-Wentworth are displaying leadership in joining together, setting community priorities and doing something about it. They have my wholehearted support, and I am sure the members of this House will join me in commending their efforts and wishing them every success.

VISITOR

The Speaker: I would like to invite members to welcome this afternoon, seated in the Speaker's gallery, the Honourable Evan Walker, member of the Victorian Legislative Council for Melbourne province, Australia.

MEMBER'S COMMENTS

The Speaker: Yesterday, the honourable member for Ottawa Centre rose on a point of order concerning the appropriateness of certain words used during question period by the honourable leader of the third party, the member

for Nipissing. At the time, I undertook to review Hansard and report back to the House.

My examination of Hansard has confirmed my first impression. The use of the words complained about do not constitute a valid point of order because the leader of the third party did not accuse another member of this House of lying. However, his words could be taken to imply that the minister had accused a member of the public of lying. While this is not contrary to our rules, I do agree with the honourable member for Ottawa Centre that it is a breach of parliamentary etiquette, and I would encourage members to be very responsible in their use of language in our chamber.

Mr Harris: Mr Speaker, in view of your comments today and the ruling that the comments I used were not unparliamentary, I appreciate your confirmation of that. I also appreciate the advice you are giving to the members of the House.

Mr Nixon: Are you debating the ruling?

Mr Harris: No, I am not. I am taking the advice of yourself, Mr Speaker. I regret very much the statements that were made by the minister. I also suggest to you that the allegations and the implications the minister referred to offended me, and I pointed that out. But the language has offended some member of the House, and I will withdraw it.

The Speaker: Thank you.

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STATEMENTS BY THE MINISTRY

CONSTITUTIONAL REFORM RÉFORME CONSTITUTIONNELLE

Hon Mr Rae: I want to report to the House on my recent discussions with the leaders of several provincial governments, the chiefs of the first nations of Ontario and the Right Honourable Joe Clark, Minister responsible for Constitutional Affairs for the government of Canada.

In my meeting with Mr Clark, he informed me that the federal government plans to release a constitutional discussion paper at the end of the summer, which it will refer to a new constitutional committee consisting of 15 members of Parliament and 10 senators. It is proposed that this committee will hold public hearings and will meet with legislative committees in many provinces as well as with others in the autumn and winter months leading to a report in February 1992.

As members know, the government of Quebec plans to establish two committees of the Quebec assembly, one to discuss the impact of sovereignty, the other to deal with any proposals from the rest of Canada. Legislation on a referendum on sovereignty for Quebec to be held in either June or October 1992 is currently before the National Assembly. Other provinces have either begun, or are now establishing, public discussions on the Constitution.

In my recent meetings, I made clear the following points: Ontario wants to respond to the clear and compelling need to make the government of Quebec a full and willing partner in the Canadian Constitution. It is not in the statement, but I might add parenthetically that this sentiment which I expressed on behalf of the government was

fully shared by Premier Ghiz, by Premier McKenna and by Premier Cameron. I think it is important that opinion take note of the fact that I found a great deal of willingness on the part of those three provinces to make the inclusion of Quebec in the Constitution a matter of priority for them.

I also stressed that the government of Ontario wants to ensure that the first nations of Canada; the aboriginal people, are recognized as having an inherent right of self-government entrenched in the Constitution. Indeed, I am proud that we have reached agreement on a statement of relationship with the Chiefs of Ontario, a document that I believe is one of the most important in the history of our relationship with the first nations.

Ontario also wants to strengthen the economic union, and we see a strong need to guarantee Canada-wide standards for social and economic programs whose funding and integrity are now being challenged.

J'ai abordé, en outre, la question du processus constitutionnel, en soulignant le grand intérêt que cette ronde de discussions constitutionnelles accordera à la compréhension et au soutien de la population canadienne. J'ai également fait part de toute l'importance que revêtirait, après le mois de février, un groupe chargé de représenter les Canadiens et d'étudier tout ensemble de propositions à soumettre à l'assemblée législative du pays. Quoique tous les premiers ministres ne s'entendent pas encore sur la forme

précise que pourrait prendre le processus de consultation publique, tous conviennent que cette réforme constitutionnelle se doit d'être différente de celle qui l'a précédée. Cette question a fait l'unanimité.

While many governments share our concerns and objectives, they have others as well. In my visits with maritime premiers, I heard little support for the current Senate and a number of proposals as to how to give provinces and regions access to decision-making at the federal level. There is real concern about the need for more efficiency and less duplication in the delivery of government programs at all levels. Premiers Ghiz, McKenna and Cameron underlined in our discussions that regional inequality is an important issue for their provinces.

Premier Bourassa has made it clear to me that Quebec feels it has been excluded by other Canadians twice in the past 10 years during the process of constitutional renewal. Both the Bélanger-Campeau report and the Allaire report now point to a dramatic reduction in the role of the federal government and an equally significant increase in powers for the government of Quebec. The message was clear: There is no simply going back to Meech.

Par ailleurs, le gouvernement du Québec s'est montré peu disposé à débattre les questions constitutionnelles qui ne figuraient pas à l'ordre du jour qu'il avait établi, car il estime avoir le droit d'exiger que la priorité soit accordée aux questions qui le concernent. Mais comme je l'ai vivement fait remarquer à M. Bourassa, les Canadiens dans l'ensemble souhaitent que cette ronde de discussions englobe un plus grand nombre de points.

This summer there will be further meetings and discussions between and among premiers, parliamentary committees and Canadians generally. I have invited Mr Bourassa to Ontario. He has accepted and we are still discussing the

date. I shall be travelling west and to the Yukon this summer. The premiers' conference will be held at the end of August and will centre on constitutional questions.

I know that our own select committee is planning to continue its work. I believe that committee, representative of all the parties in the Legislature, will continue to play a vital role in reaching out, not only to Ontarians but also to other legislatures, assemblies and people across Canada.

It is vital that all of us, in our work here in Ontario and across the country, work towards the widest possible consensus around both process and substance issues as the constitutional issue takes hold. I carry no magic answer around in my back pocket to this most crucial set of issues. I wish I could report to this Legislature that I found one on my trip, but we all know it is not that easy. This will be difficult, but if we understand the costs of failure and the advantages of success, it is possible.

SKILLS TRAINING

Hon Mr Allen: I am deeply concerned, as many members of this House are, about the recession that has caused so many plant closures and layoffs. These have resulted in hardship and suffering for workers, families and communities throughout Ontario. Our government has recognized this and has introduced special programs to help workers deal with the traumatic dislocation by layoffs.

Recently in Hamilton, for example, I announced a \$2-million fund for colleges to enable them to help Ontario workers who are laid off because of major plant closures. At the same time, I announced another \$1.5-million multi-skilling training program for workers at Stelco in Hamilton. Both are examples of co-operation and partnership in action.

I want to announce today another such agreement, one to retrain workers who have been laid off at Algoma Steel in Sault Ste Marie. Those workers will need counselling and training. Together with Sault College and the Canadian Steel Trades and Employment Congress, or CSTECC, which represents business and labour, we have reached an agreement to retrain these workers. Under the agreement, approximately 330 laid-off Algoma Steel workers will start this September the retraining needed to help them find new employment.

Some 200 of the group of 330 will be enrolled in new classes being created expressly for the laid-off workers at Sault College. Costs for these new classes, which are expected to be about \$2.6 million over two years, will be shared equally by the Ministry of Colleges and Universities and the CSTECC. If required, additional classes may be added in future, but this will depend on the continued financial support of CSTECC by the federal government.

Training will be provided in four engineering technology programs: computer, electrical, environmental and mechanical, as well as in business, correctional worker and carpenter-cabinetmaker programs, and possibly a stationary engineering program.

Roughly 130 of the 330 have already been accepted into a variety of programs at Sault College. CSTECC will pay the \$800 tuition fee for the 130 students and the province

will pay the normal operating grant to the college to cover the remaining 90% of the cost of training them.

I am very pleased that this partnership of government, labour, business and education has resulted in an agreement that will benefit laid-off workers and the community of Sault Ste Marie. Our government is working with all groups to address the serious consequences of this recession and we will continue to seek new solutions and new partnerships to soften the blow on Ontario's communities and its economy.

LONG-TERM CARE

Hon Ms Akande: I am pleased to announce to the House today the government's plans for the redirection of Ontario's long-term care services.

Over the past several months, the Minister of Health, the Minister of Citizenship with responsibility for seniors' issues and disability issues and I have studied the problems associated with Ontario's outdated approach to meeting the long-term support needs of elderly persons and people with physical disabilities. I would be remiss if I did not recognize the important contribution to this review process of the former Minister of Health, the member for Ottawa Centre.

My colleagues and I have reviewed the reforms proposed by the previous government as described in its policy paper *Strategies for Change*, and I wish to acknowledge its work in this area, in particular the contributions of the then ministers of Health, Community and Social Services, senior citizens' affairs and disabled persons.

In order to establish a long-term care policy framework consistent with the values of this government, we were guided by four basic principles: the primacy of the individual and his or her right to dignity, security and self-determination; promotion of racial equality and respect for cultural diversity; the importance of family and community, and the right to fair and equitable access to appropriate services so that people who use the service can make informed choices.

1400

We have been aided in our deliberations by the thoughtful and constructive ideas in letters, submissions and briefings from those who use and need the services, long-term care providers, their associations and the public at large.

We have reviewed our options, not only in terms of program policies but in light of the enormous economic challenge Ontario faces in this time of recession. We have recognized a great need across the province for services that will help people to live in their own homes and communities.

Therefore, I am pleased to announce today that the long-term care redirection will proceed. Even in the current fiscal climate, our government will commit the financial resources necessary to chart this new course. To that end, \$647 million will be invested on long-term care services by 1996-97. Of this amount, almost \$440 million will be for community programs. The remaining one third of the total dollars will be spent on facility care.

Our government will reduce the over-reliance on facility services and will shift emphasis to the development of

creative, community-based service options. We will do this in three ways.

First, we will invest heavily in long-term care services provided to people in their own homes. Services such as nursing visits, homemaker visits and attendant care will be increased, new responsive eligibility criteria are under development to ensure these services are delivered in a more flexible fashion and no user fees will be charged for nursing and homemaker visits, respite services, attendant care, personal care and support services, and day programs in recognition of the essential nature of these social and health services.

Second, we will significantly enhance our commitment to community- and neighbourhood-based support programs delivering vital services such as Meals on Wheels and transportation. We also intend to introduce a more flexible funding formula for community support programs that will provide 100% funding of approved costs after deducting charges for service use and local funding.

Third, we will make a substantial investment in supported housing programs for elderly persons and people with physical disabilities. This will afford them the choice to continue to live in their own communities with care and with support. Priority will be given to the development of support programs in co-operation with those planning non-profit housing. We will be consulting with people who use and need services and providers in the development of these programs.

I mentioned earlier that we are investing heavily in community programs to lessen our reliance on institutional services. This is evidenced by our commitment to shift, over the next five years, a minimum of \$37.6 million in funding from the provincial hospital budget to long-term care community-based services. While this represents less than 1% of our hospital expenditures, it establishes an important principle.

We will actively pursue more savings from long-term care facility redevelopments. While the overall number of long-term care beds will not be increased, strategies will be developed in partnership with communities to realign resources to those communities in greatest need. Nursing homes, homes for the aged and chronic care hospitals will continue, of course, to have a role to play. They are still needed to care for people with needs that cannot currently be met in the community.

Significant change is required in this sector. Therefore, approximately \$200 million will be added to the budgets of existing nursing homes and homes for the aged. This will ensure that the ever-increasing care requirements of residents can be met effectively. These funds will be generated by increasing both the provincial subsidy and the basic fees for accommodation. These increases will be carried out on an income-tested basis with no charges for health and personal care services. Quality care will be affordable to all, regardless of their financial situation.

Funding reforms will be introduced that will match financial support to the actual care requirements of residents. Measures will be taken to ensure that this increased funding is transformed into tangible service improvements.

In order to effectively co-ordinate access to a full range of services, we will consolidate our current home care and placement resources in 40 new agencies. Job security for workers in these programs is a high priority for this government.

These agencies will carefully assess the needs of the individual and purchase the appropriate services in the home, as well as respite and day programs, for them; provide information, advice and referral services to people who might need help to locate support such as meal programs or volunteer transportation; assess the needs of the individual and co-ordinate access to long-term care facilities, and be governed by new boards which will represent the communities they serve and include local members appointed by the provincial government. We will seek advice from communities as to how these new agencies can be implemented and how productive relationships can be formed with organizations which currently plan, govern and deliver services.

We have much work to do. The most important phase of our redirection will soon begin. A consultation paper will be available in the summer, and a comprehensive people-oriented and community-focused consultation will begin in earnest this fall.

The ministers of Health and Citizenship and I believe that the consultation process is an important part of the product. We believe the principles we used in establishing our policy directions would ring hollow if those directly affected by our decisions were denied the chance to shape the future in a significant and meaningful way. Our consultation will be more broad and far-reaching than any which had previously been considered. We are inviting a group of people representing those who need service and those who provide services to help design the consultation process.

We will consult people who need services and their families; advocates and care givers; native, francophone and multicultural communities; labour and women's groups; health and social service providers and planners; municipalities, and other interested groups. Community by community, we will ensure that our policy directions are subject to scrutiny and that a range of opinions as diverse as our Ontario society is brought to bear on the consultation.

We have outlined what we would describe as preferred options. However, much is still to be decided. For example, we want to consult on the direct funding approaches for people with physical disabilities. We want to consult on innovative ways to support the critical role played by family care givers. We would like to know what kind of training and support homemakers need to provide a high standard of service.

These are only a few examples of the types of questions to be discussed during the consultation. The decisions made must be tailored to the unique requirements of particular communities, both geographic and cultural.

Finally, the process of consultation and decision-making will lead to the introduction of new legislation necessary to support the redirection of our long-term care services. Long-awaited changes in our approach to services to elderly persons and people with physical disabilities are finally becoming a reality.

It is my hope and the hope of my colleagues that a system will be built that is sensitive to the uniqueness of each individual, sensitive to their rights as well as their needs, and reflective of basic values held by all Ontarians.

1410

RESPONSES

CONSTITUTIONAL REFORM

Mr Nixon: I viewed the Premier's progress through eastern Canada in the government's Tiger Moth with a great deal of interest, as he went from provincial capital to provincial capital and finally to the NDP convention.

I understand at that convention, he, speaking to a very critical audience, got 19 standing ovations, two more than his federal leader, and quite severely insulted the leader of the government of Canada when he said that for any leadership in Canada the people and the provinces would have to turn to Toronto and Ontario. That might appeal to the NDP, but perhaps might not be the message that is generally acceptable to all people across the country.

His support for a constituent assembly seems to have faded somewhat, and I appreciate the fact that the Premier himself makes a virtue of his flexibility when he has withdrawn from that particular proposal, since nobody but himself and a couple of others have given it much consideration.

There is something that should be discussed at length and that is the Premier's commitment, which we all share for self-government of the first nation community. I hope he has examined that carefully enough to know that a rational conclusion would lead many thoughtful people to support a special provincial administration for the first nation community. That is something that surely he would be giving careful attention to.

SKILLS TRAINING

Mrs McLeod: I will respond very briefly first to the statement by the Minister of Colleges and Universities and just indicate that we do welcome the training proposals and the fact that they are tripartite training proposals. We would only urge that both he and his government continue to address the need for retraining that is not just based on crisis situation. I would also look at the fundamental challenges of the restructuring which is taking place in our resource-based industries, and most particularly the very acute need to address the ongoing crisis in Algoma Steel in Sault Ste Marie.

LONG-TERM CARE

Mrs McLeod: If I may, I turn to another question on long-term planning, and that is the statement by the Minister of Community and Social Services, and ask why it has taken so long to reaffirm the directions and the proposals of the Strategies for Change document that was introduced in this province last May.

After the extensive consultation that was carried out last summer, why is the minister now only talking about more consultation? I have to ask what the minister has been doing for the last eight months while seniors and disabled people across this province have waited and wondered what it was that this government planned to do and

Why there had been no response. The government has now emerged from what has really been eight months of in-house meetings among ministers and it has said: "Yes, indeed, we do need to respond to the need for enhanced services, in-home support for seniors and the disabled. Yes, we do need to respond to the crisis in access to extended care beds in our institutions. Yes, indeed, the dollars for long-term care reform that were committed by a liberal government are appropriate and are needed, in fact, almost to the very dollar."

I think this government knows what is needed, it knows what directions have to be taken. It has known that for a year, and now it is proposing more consultation. There is not a single plan here that leads us to immediate steps towards implementation.

I would ask the government whether it is now possible, after this last eight months, to have in place multilevel care funding for January 1992, which was the proposal of the previous government, and when it is going to be possible for it to actually extend integrated homemaking services and expand the in-home care support available to seniors and the disabled.

I would really have to suggest that we are not yet seeing any evidence that there is going to be an immediate, enhanced and enriched service for seniors and for the disabled who need long-term care across this province.

It has taken a whole year to get back again to the point where we left off last May, and I can only describe this as being a whole year lost.

Mr Phillips: I would like to add my comments to my colleague's and to say I have been pressing for this for at least six months. Frankly, it is very similar to the Strategies for Change. I had fully expected the reason the government was taking so long was that it had some changes in mind. We have now wasted six months and we essentially have very much the same recommendations that we had six months ago.

There are some questions in here of course that we will be asking. One is in terms of no more long-term care beds. We realize we do not want to add significantly to long-term care beds, but I am not sure the long-term care beds currently are necessarily in the right geographic areas in the province.

Certainly I was interested to note that the government is planning to extend, I gather, user fees and nursing homes and homes for the aged, and we were looking for the specifics of that. They are talking about moving money from hospitals. I would just suggest to them that hospitals in this province are changing the way they deliver services and are responding to our changing demographics. I would urge the government to be very careful, as it moves funding from the hospitals, it does not cut into some important programs that are designed to meet the long-term care needs of the people of this province.

Mr Jackson: I too would like to respond to the statement made by the Minister of Community and Social Services about redirecting long-term care services. As has been stated earlier, we have been waiting over a year for a response to the previous government's excellent working

paper on this subject. We welcomed a statement, but when one examines the substance of it, there is cause for considerable concern. Questions such as, "How long will people have to wait?" are legitimate questions, given that the only firm dates being mentioned are 1996 and 1997.

When we look at the acuity rates of many of our geriatric patients in this province, when we look at the near collapse of several of our delivery systems in this province, when we look at the immediate crises being faced by these people, we ask, "At what price will they have to wait?"

It is a policy of the minister's government to continue with the offensive cutback of municipal non-profit homes for seniors in this province, and yet we have no replacement. Her coterminous minister, the Minister of Health, is overseeing the reduction of geriatric beds all across this province. Where are these people going to go?

The minister talks about respite care. In most cases, our most frail elderly live with another person of comparable age, and all we do is accelerate pressures on their good health because we do not have some of these programs co-ordinated in place.

The minister has brought to this House a statement, and I guess the statement that concerns me the most is that the minister might even actually believe what she said, that these long-awaited changes in our approach are finally becoming a reality. The minister is finally making a statement; that is all she has done today.

But if senior citizens in this province and people who require that kind of service are relying on the minister to meet their needs, I only remind them that, as this government runs up a \$10-billion deficit, there is precious little attention for seniors in this province. The Treasurer indicates that he is going to get us out of that deficit. How can seniors believe that the minister will take care of their long-term care needs in this province when this government is going to run us into debt that badly?

SKILLS TRAINING

Mrs Cunningham: I would like to respond to the statement made by the Minister of Colleges and Universities by saying that we are encouraged to see the minister work with business and labour in the retraining of people who have lost their jobs through unfortunate circumstances at Algoma Steel. We certainly encourage this as a model.

As I always have said, what we are looking for is a comprehensive skills training and retraining program in Ontario. My great criticism would be that this is just one small part of what we really need. We all know that the measures taken by Canadian firms in spending private company dollars are minimal compared to what they do in the United States of America and other countries. We are looking for investment by the private sector in skills training and taking responsibility for our young people. What we really need is comprehensive reform.

I have said it before and I will say it again: We have not dealt with the declining enrolment in technology programs; we have not talked about the issue of apprenticeship-journeyman ratios; we have not talked about the

program to promote the role of colleges in the provision of customized contract training services for companies; we have not talked about the centres of specialization, of a cost-effective way to get state-of-the-art equipment into our colleges, and we have not talked about encouraging our school systems to develop the articulation agreements and new guidance counsellors with the school systems and the colleges across this province.

This is just the tip of the iceberg. We need the minister to work harder and his government to work harder for a comprehensive training program for people, not only who have lost their jobs, but young people who want to be part of the real world in Ontario today.

Mr Harris: I too want to respond to the statement by the Minister of Colleges and Universities and say that obviously we support the tripartite initiative to help with the retraining of the laid-off workers in Algoma. But I want to say we are very disappointed that we have to rely on ad hoc programs. There are thousands and thousands and thousands of workers in Ontario losing their jobs, and we have no overall plan for all of them. It really is sad that it takes this kind of concentrated tragedy taking place in various communities to push the government.

Finally, I hope as well that the program is providing, with the new skills, some method for accessing jobs in Sault Ste Marie, Michigan, because they are not going to find them with this government's policy in Ontario.

1420

FOREST FIREFIGHTING

Hon Mr Wildman: I would like to rise to correct the record of the comments I made yesterday regarding the situation at Deer Lake, which is 190 kilometres north of Red Lake in the riding of the member for Kenora.

This is a community with a population of 600. The forest fire started yesterday at noon immediately north of the village and spread quickly. The fire is now about 150 hectares in size and has burned six buildings. The Ministry of Natural Resources fire crews, aided by CL-215 heavy water bombers, were able to save the town's nursing station.

A total of six buildings, including homes and log cabins, have been destroyed, as well as equipment, including snowmobiles and outboard engines. There have been no injuries, I am thankful to say, but more than 350 residents, including women and children, older persons and those with respiratory problems, have been evacuated from the village. Some residents have been flown to the town of Cochenour, just north of Red Lake, and others have been taken to the town of Red Lake.

Nine Ministry of Natural Resources fire crews and a provincial fire team are at Deer Lake to fight the fire, assisted by native fire crews. As I said, there are four CL-215 water bombers at the scene and an emergency response team has been assigned to the fire.

ANNIVERSARY OF UKRAINIAN SETTLEMENT

Mr Jackson: Could I seek unanimous consent from all members of the House to recognize Ukrainian Pioneer Heritage Centennial?

The Speaker: Do we have unanimous consent?

Agreed to.

Mr Jackson: I would like to thank all members. This year marks the 100th anniversary of the coming of the first Ukrainians to Canada. On 7 September 1891, Ivan Pylipiv and Vasyl Elyniak became the first two officially recorded Ukrainian immigrants in this country and thus began the first wave of Ukrainian settlement.

In 1895, Ukrainian Professor Joseph Oleskiw wrote two publications about Canada that served as information sources for those Ukrainians wishing to move here. He also met with Canadian government officials to negotiate immigration arrangements. In 1899, Cliff Sifton, acting on behalf of the Canadian government, signed a contract for the recruiting of immigrants to Canada.

It was also in 1899 that my maternal great-grandparents, Mr and Mrs Nicholas Kyryliuk, residents of the Ukrainian town of Sapohiv, arrived in Halifax harbour on 5 June. They, along with about 200,000 other Ukrainians who settled mainly in western Canada, began their new lives in this adopted country under some very harsh challenges. In those early years, there were many struggles, but their strong religious faith and their love of their new land saw them through.

The links between Ukrainians in Canada and in their ancestral homeland continued strong and unabated. Many Ukrainian immigrants sought to escape political, cultural and religious repression, which was at its zenith at the coming of the Bolshevik communists to power at the end of the First World War. In the 1930s, Soviet terror claimed the lives of 10 million Ukrainians in Stalin's man-made famine. In the 1940s they saw the development of armed Ukrainian resistance to their colonial oppressors in the national struggle for freedom.

Throughout their 100 years of history in Canada Ukrainians never forgot their ancestral homeland. Whenever Ukraine suffered, they suffered. Whenever Ukraine rejoiced, they rejoiced with them. We know their work continues to this day and has been recognized in their support for the victims of the Chernobyl nuclear disaster.

Today we will be joined in the House and we are honoured to have, as a special guest from Ukraine, a leading figure who is on tour, Archbishop Vladimir Sterniuk. Vladimir was sentenced to 10 years in Siberia for refusing to abjure his faith and he returned to western Ukraine to lead his underground church ever since, secretly ordaining priests and bishops and serving his people. The Soviet KGB has arrested him 18 times since his release from Siberia and His Excellency has lived to see the rebirth of his church and his faith in his beloved homeland.

The Ukrainians of Canada know what a precious commodity freedom is. That is why they value their presence and their life in Canada. They were quick to volunteer in each of the world wars, and today Ukrainian culture is an integral part of Canadian life. Canadians of Ukrainian background have made significant contributions to Canada's continuing development as a nation. Ukrainians in Canada have truly gone far in a short time from those early settlers with spades and plows in their hands, to the Governor General's office in Ottawa.

As the chairman of the centennial committee of the provincial council of the Ukrainian Canadian Congress, I would like to take this opportunity to invite all members to join in the festive celebrations, with traditional songs and dances, to mark today's occasion which will take place at 7 o'clock this evening on the steps of the main lobby in the Legislative Building, beginning with the unveiling of a special plaque to honour the early Ukrainian pioneers, which will be presided over by the Minister of Citizenship and the government, as well as the Minister of Citizenship from the former government, John Yaremko, who presided over the plaque unveiling 25 years ago. A reception will follow in room 228 and all are welcome to attend.

Mr Ruprecht: I am delighted to join the distinguished member for Burlington South in recognizing a date of great importance to Ukrainian Canadians, the 100th anniversary of the arrival of the first Ukrainian settlers in Canada.

As the member has introduced some people already, I would like to continue this tradition and introduce today in the gallery Yaroslav Sokolyk, president of the Ukrainian Canadian Committee, Toronto branch, and Bohdan Maksymec, president of the Ukrainian Canadian Congress, who are with us in the audience.

The first major wave of Ukrainian immigration to Canada occurred between 1890 and 1914. Most of those leaving the Ukraine settled primarily in rural areas. The second major immigration occurred during the two world wars and resulted in settlements throughout the prairie provinces. Then between 1947 and 1954, approximately 34,000 Ukrainians who were displaced by the Second World War arrived in Canada, and many of them made their homes in Ontario. By 1981—this will be of great interest to all members of this House—25% of Ukrainians lived in this province.

Today we celebrate the Ukrainian Canadian presence in Ontario and their participation in building a strong, united Canada. They helped build the west. They participated in all democratic institutions, including the political parties, all three political parties, even the labour movement, and we find Canadian Ukrainians placed in positions of leadership in every walk of life in our country.

I can remember a number of events where thousands of Ukrainian Canadians participated. I think most members will also remember the black ribbon days which were organized to lift the Iron Curtain and introduce some semblance of freedom into the Ukraine: freedom of speech, of religion, of the press, and freedom to vote for different parties.

Thousands again came to us right here in front of the legislature to commemorate the Chernobyl nuclear disaster, which really indicated to all of us in the west how shipshod the Russian government was in running the nuclear power plants in the Soviet Union.

How about, just in 1988, the 1,000 years of Christianity in the Ukraine? A great tradition that all of us are proud of.

What about the parade that thousands of Ukrainians attended in 1980 in order to keep Canada together? Thousands of them signed a petition in order to keep Quebec within Canada.

Today, we need Ukrainian Canadians again very clearly in order to keep Canada alive and keep Canada together. Ukrainians of Canadian descent are proudly Ukrainian but they are also fiercely Canadian. To quote the Honourable Lester Pearson: "Our Ukrainian settlers, by their industry, tenacity and resourcefulness, carved out of the lonely, unbroken prairie a new life for themselves and new wealth for their adopted country. All Canadians are in debt to those sturdy pioneers. By preserving your own identity, your own language and culture and traditions, you have added something of great value, of strength and colour, to the Canadian character."

1430

Hon Mrs Coppen: On behalf of our party, I rise to speak today on the commemoration of the 100th anniversary of the arrival of the first Ukrainian settlers in Canada, because I am a granddaughter of such settlers. I would also like to thank the Minister of Citizenship for giving me this privilege since, as the member for High Park-Swansea, she represents the largest community of Ukrainian Canadians in this province.

Many of those early immigrants who arrived in Ontario at the turn of the century came with the hope of making a new life for themselves and their families, not unlike today's immigrants. Like all new immigrants they had many obstacles to overcome. My own paternal grandparents were one of those families. They settled in Saskatchewan. They farmed all their lives and faced many personal tragedies, such as the loss of two children to diphtheria.

Ukrainian Canadians have made important contributions to this country and to this province. We recognize those contributions whether they be from crane operators, teachers, provincial police officers or authors. In just one generation Ontario's Minister of Citizenship, John Yaremko, was a Ukrainian Canadian and so is His Excellency the Governor General of Canada, the Right Honourable Ray Hnatyshyn.

I am proud of our tradition of hard work and honesty and of our customs. We maintain those customs as a small tribute to our parents and grandparents and we honour them for the sacrifices they had which have made our lives so much more meaningful.

Our government is proud of this province's diversity and we are committed to working to preserve and to benefit from it. We must welcome all immigrants to Canada, as our families were welcomed, and appreciate all that they bring to us.

I would also like to inform members that later today I will accompany the Minister of Citizenship as she has the honour of unveiling a plaque here at the Legislative Building commemorating this very special anniversary.

ORAL QUESTIONS

LAYOFFS

Mr Nixon: I have a question to the Premier which, in a sense, comes out of a statement from the Minister of Colleges and Universities about a tripartite retraining scheme for Algoma Steel, where 3,500 jobs are going to be

lost, according to the program put forward by the Premier's task force.

This has to be added to the 1,000 to 2,000 jobs that were lost in Kitchener two weeks ago in the Uniroyal Goodrich closing, the up to 1,700 jobs that will be lost if de Havilland follows the course that is evidently charted by its new foreign owners and the 420 jobs lost at Abitibi-Price. I just list those as an indication of the state of our economy. The Premier will be aware that the Treasurer, always being moderate and speaking the truth, indicated that Ontario was not coming out of the recession and that he did not join his colleagues, the other treasurers, in indicating the recession was over.

On that basis, is the Premier satisfied with the results of his policy, since our loss of employment is continuing at such a destructive rate? If not, what other plans can he present to the Legislature to ameliorate the situation that is devastating so many communities in this province?

Hon Mr Rae: That was such a long preamble, I just want to state a couple of things in answer to the preamble.

First, there is no final determination as to the ownership of de Havilland. That matter is now before Investment Canada. There has been no transfer of ownership.

Second, there has been no proposal by my task force with respect to Algoma. There has been one plan that has been prepared by Dofasco, and that is now being discussed by all the partners. The honourable member is leaping from conclusion to conclusion as he tries to arrive at the worst-possible-case scenario.

Finally, with respect to his preamble the member said the Treasurer said we were still in the recession. I think what the Treasurer said—I think he is being cautious—is that we are not out of the recession yet, but it is also fair to say we can already see some signs in the economy that show things are improving. I will not underestimate for a moment the seriousness of the situation and I will not underestimate for a moment that the recession has been enormously serious.

The restructuring that is going on is one that requires a concerted response. I am meeting with the Premier's Council all tomorrow afternoon, tomorrow evening and into the next day as we begin to look hard at the restructuring taking place, as we begin to look at the policies we need to put in place in terms of training, in terms of new capital investment, in terms of encouraging industry to invest in research and development and in terms of how we can go about encouraging the creation of new, well-paid jobs across the province.

The Speaker: Would the Premier conclude his remarks, please.

Hon Mr Rae: I take this as my central task as Premier. If the Leader of the Opposition is asking me if am I satisfied with how well things are going, I would say to him only that I do not look upon what is going on with any complacency at all. It is the biggest challenge we face as a province, and we are doing everything we can to meet it.

Mr Nixon: I will try not to comment on the length of the Premier's unsatisfactory answer. Since he does not like the numbers I have put together, what does he think about

Statistics Canada, which found that there were 31,000 fewer jobless in Canada last month than the month before but 12,000 more jobless in Ontario?

This is in light of the fact that this is the first month following a budget where a deficit of \$9.7 billion was justified on the basis of job creation and an additional \$700 million was spent by this government ostensibly to create jobs. Yet the record continues to deteriorate. The Premier has indicated that he is not satisfied, but surely, as the leader of a social democratic government, he must be in a position to provide the leadership that is going to turn this around. In spite of his best efforts, it is getting worse. The people are dissatisfied. What is the Premier going to do about this totally unacceptable situation?

Hon Mr Rae: There is a very serious recession. I say to the Leader of the Opposition, if his leader had not called an election last September and he were still in office, we would have a very serious recession. The former Treasurer, in his heart of hearts, knows that full well. That may be why they called the election. I do not know.

I will only make this simple point to the Leader of the Opposition: I was interested to see we had the support of John Kenneth Galbraith, the dean of North American economists and someone not unknown. He said we were the only government in North America that was tackling the recession by investing in infrastructure and doing our very best. That is exactly what we are doing, and we are going to continue to do it.

Mr Nixon: I might have a little more confidence in the Premier and my good friend and well-known liberal, John Kenneth Galbraith, if there were some results to their brave efforts. But instead of positive results, we seem to be getting further into the difficulties of mounting unemployment. This great government, with its close connections to the labour movement, with all of the main presidents of the unions being vice-presidents of the NDP, does not know what to do except wait for the capitalist economy to solve its problems for it.

As a matter of fact, the Premier has not given his basic solution which he gave to the Hamilton Spectator in response to a question from Emelia Casella, who asked, "What the devil are you going to do about this?" I paraphrase her words. He said, "The question there really is what more can we do to give a sense of pride and a sense of patriotism to industry."

Once again, he is solving major problems with slogans, because in fact his policy is a policy of heavy debt, heavy tax and heavy-handedness in this regard and really most of the business community believes that his policies are driving business and opportunities out of this province. What is he going to do to reverse this situation? Only he, as leader of this brave democratic socialist government, can act at this time.

[Applause]

Mr Nixon: While a scattering of his support responds with approval in that connection, the people out there are very much concerned indeed about the inadequacies of his policies. What does he plan to do to correct this situation?

Hon Mr Rae: First, let me say to the people of the province that I think everybody in this government shares their concerns and takes them enormously seriously. When I talk to business leaders about taxes, if there is any government they single out for its incompetence, for its heavy-handedness and for what it has done to small business and large business, it is the government for which the Leader of the Opposition was the Treasurer for five long, hard years. That is the reality and he knows it full well.

If he wants to have an argument about what has happened to Ontario's tax structure, if he wants to have an argument about what has happened to Ontario's competitiveness and if he wants to have an argument about what has happened in terms of business confidence, let me say that the former Treasurer has a heavy burden to carry in terms of his own personal responsibility for the situation which we found when we took office in September. He knows that full well.

The Speaker: Would the Premier conclude his remarks, please.

Hon Mr Rae: The decision that we as a government made this year, to invest, is a decision of which I am proud and a decision which I am confident will contribute far more jobs to the economy than if we had sat on our hands and simply watched the deficit increase the way the Liberals were doing when they were in power.

Mr Nixon: We are still the only government since 1948 that paid down the provincial debt. It is interesting to see what the Tories are going to do about that, what the NDP are going to do about that, spending their way out of recession. What a policy that is.

Interjections.

The Speaker: Order.

SEWAGE TREATMENT

Mr Nixon: While the Premier wipes his chin in satisfaction, I will direct a question to the Minister of the Environment. She, as well as all other sensitive people in the province, will know that the Liberal task force visited Smiths Falls yesterday and was astounded to learn that the Ministry of the Environment has yet to act on the grave situation involving that town and many others in the province. I mention the village of Clifford and the town of Fort Frances, where the lack of sewage disposal facilities has totally suspended any sorts of development or job opportunity development in those communities.

In the case of Smiths Falls, the facility requires \$20 million and the town has a total budget of only \$9 million. What is the minister doing to assist in solving these problems that are affecting the economy of the province so extensively?

Hon Mrs Grier: Let me assure the Leader of the Opposition that I am indeed well aware of the backlog in spending on infrastructure renewal that exists across this province, and in fact across this country, since the evacuation of that responsibility by our federal government some years ago. What this government is doing is looking very seriously at the amount of capital spending that can be put

into the rebuilding of those sewage treatment plants, especially in areas where we know that the capacity has been extended. I think if the honourable Leader of the Opposition will look at the increase in my ministry's budget that was included in the budget and in the deficit which he finds so very hard to accept, he will see that is precisely what we are doing.

Hon Mr Rae: You complain about the deficit, then you get up and ask for more spending.

Mr Nixon: The Premier is just aching to answer this question in his own typical situation, but the minister would be aware that in the 1991-92 conditional grant allocation for municipalities which she is referring to that deals with this, the amount of increase for sewer and water projects was 0.8% in a budget increase of 13.4%. We know where the money went, but it certainly did not go for sewer and water.

How can the minister indicate that the budget of this province is allocated, at least in part, to this important responsibility for cleaning up the sewage and for giving and guaranteeing clean water when in fact the Treasurer did not allocate those dollars? They have done nothing but simply blame other governments—thank God, not ours, because under the leadership of the member for St Catharines we took great strides to correct this situation.

Hon Mrs Grier: I am sure the Leader of the Opposition wants to be fair, because I know the Leader of the Opposition is inherently a fair individual, and I am sure, in looking at those figures, he would want to add to them the \$700 million that was part of the Treasurer's anti-recessionary spending, a major proportion of which went to municipalities for precisely the kind of spending that the Leader of the Opposition is asking about.

Mr Nixon: The honourable minister had the good grace, not shared by the leader of her government, not to blame us for inadequate policy. Just as our proposals for long-term care have now been accepted by the government after the former Minister of Health put them through her fine-tooth comb, surely the minister should be aware that our proposal for a water and sewer corporation, which was part of last year's budget—it would have been in operation 1 January this year—is a reasonable alternative that would move towards these solutions. Is she going to accept that concept, and if not, what is her alternative?

Hon Mrs Grier: I am well aware of the proposal by the previous government that such a corporation should be established. I am also well aware that under the previous government's view of what that corporation would do, it was seen, frankly, as a pro-development tool to encourage urban sprawl and the development of areas where perhaps that might not be the appropriate solution.

As the member is well aware, our government has asked for a review of that concept and a deputy minister has been appointed, responsible to me and to the Minister of Municipal Affairs. I am sure a response as to the future of that corporation will be available shortly.

Mr Scott: Bob is getting tired of this ideological baloney. Get going. Do something.

The Speaker: Order, the member for St George-St David.

Hon Mrs Grier: Regardless of whether the funding comes to an independent corporation or whether the funding comes from my ministry or from the Ministry of Municipal Affairs, the bottom line is spending. We are very aware of that. We are very aware there has been inadequate spending on sewer and water for five years, and we realize that is a problem that has to be addressed.

Mr Nixon: There is \$484 million extra for doctors, 11% extra for civil servants, but no clean water for Smiths Falls.

1450

GOVERNMENT SPENDING

Mr Harris: If I can get it in over the leader of the Liberal Party, the tax man himself, I wonder if I could have a question to the Premier. Would the Premier tell us what restraint measures, if any, he has put in place in his office and the Cabinet Office to cut costs during this recession?

Hon Mr Rae: With respect to my own estimates, I think the leader of the third party will find that in the Office of the Premier there has been a pretty modest increase, I think of a few per cent, and in the Cabinet Office an increase of 7.4% overall, year over year. With respect to the Ministry of Intergovernmental Affairs, there are some changes with respect to the situation because of the seriousness of the constitutional crisis, which members from all sides have been asking us to respond to. But on the whole, our spending estimates—I think I am correct in saying this; at least, I sure hope I am—are certainly well below the overall increases that have taken place in the rest of the government.

Mr Harris: I know the Premier thinks 7.4%, on top of the bloated bureaucracy Premier Peterson had, is somehow or other his idea of restraint. I can tell him that taxpayers do not think a 7.4% increase is.

I would like to point out a specific increase. Not only has the Premier not cut costs and waste in his offices, he has increased his spending by a substantial amount. I would like to ask about one in particular. The Premier is now spending an additional \$325,800 of taxpayers' money for, and I quote from his estimates of the Cabinet Office, "Increased work for daily briefings for the Premier for preparation for question period."

How can the Premier justify spending an additional third of a million dollars to prep himself for question period when his Cabinet Office already costs taxpayers some \$8 million a year?

Hon Mr Rae: First of all, I am sure there are many—

Mr Scott: If we don't ask any questions, can we have the money back? I'll give up if I can have the money back.

Hon Mr Rae: If I can just get over the response from the member for St George-St David—I think his bow-tie is too tight today—I would only say that, first of all, the member refers to an \$8-million budget. That is incorrect. The 1991-92 estimates are \$5.8 million. I think we are both reading from the same sheet.

Second, when the member uses his quotation for the explanation, he conveniently leaves out two other aspects of an explanation of why there is a \$325,800 increase. I just think it is important for people to know that there have been some very selective reading by the leader of the third party. It says, "Large amount of additional correspondence to deal with; increased work for daily briefings for the Premier for preparation for question period, and managing corporate issues."

I can only tell members that I am told by my staff that for whatever reason, we have had an extremely enlarged flow of correspondence in comparison with any—

Mr Scott: It's people complaining. Read the letters.

Hon Mr Rae: I do read the letters. I can only tell the leader of the third party that since 6 September, there has been an extraordinary increase in the flow of correspondence. It may have something to do with our being a more open government than our predecessors.

The Speaker: Would the Premier conclude his remarks, please.

Hon Mr Rae: We also have an increased need to deal with freedom-of-information requests and, I might add, other inquiries that were put forward by members of opposition parties and others with respect to the work of government.

Mr Harris: The \$325,000 is over and above—I mean the Premier already got some 7.4%, as he talks about.

Hon Mr Rae: No, it's not over and above.

Mr Harris: No, that is right, he got 7.4%.

Hon Mr Rae: Yes.

Mr Harris: And then he got \$325,000 more here.

Interjections.

The Speaker: Order.

Mr Scott: People have got to spend their way out of recession in their own way.

The Speaker: The member for St George-St David.

Interjections.

The Speaker: I know. This is quite a lively exchange. It would be helpful if the leader of the third party could direct his supplementary question to the Chair and allow but one member on the government side to respond.

Mr Harris: I want to zero in particularly on the \$325,000. In an average sessional year, we estimate the Premier answers some 300 questions. That means taxpayers now have to pay, in addition to the \$5 million or \$6 million or \$8 million that is being spent there, an additional \$1,000 for every question the Premier answers. Quite frankly, we and the people of Ontario do not think we are getting our money's worth.

The average taxpayer does not make \$1,000 a week to support his entire family. I would like to know what the Premier has to say to the people who have to support through their taxes, an additional \$1,000 of their tax dollars that go up in hot air every time he gets up on his feet to answer a question.

Hon Mr Rae: First of all, the leader of the third party talked about an \$8-million expenditure. It is a \$5.8-million expenditure. Okay, so there we are.

Then he talks about 7.4%, and then he adds on another \$25,000. He should know full well the 7.4% is the full amount. The \$325,800 is included in that amount.

The actual expenditure for 1991 last year was \$6.6 million, so in fact our estimates for next year show a reduction of some \$800,000 overall in comparison to what was spent last year.

Then he makes the allegation, when I have already told him that we are talking about having to deal promptly with public correspondence—when I became Premier, I was concerned about the length of time it was taking for the public to get responses to the questions they were putting to us and I asked that we speed up the turnaround time and that we make sure we were improving that in terms of service to the public. I think we are being careful with public expenditure in the Cabinet Office and in the Premier's office, and I will compare that expenditure with the leader of the third party's any day of the week.

Mr Harris: I do have a second question for the Premier, but when I clearly said that the Premier's office and his Cabinet Office cost taxpayers more than \$8 million, he conveniently left off the Premier's office. I assumed that the Premier's office was support staff for him. Maybe it is for Bob White, maybe it is for somebody else, but I assumed he was the Premier and that money was for him.

RETAIL STORE HOURS

Mr Harris: My second question is to the Premier. He will know that I have long called for and been supportive of stronger legislation to protect the rights of workers, not just to have Sunday off as a matter of fact, but for all full-time workers to be able to have a day of the week off that suits their family circumstance.

Yesterday the Solicitor General tried to explain away his earlier comment that the government's legislation to protect employees from working on Sundays is weak and unenforceable. Since he obviously had a hand in this legislation and in drafting this bill, I would like to ask the Premier if he believes that his party's and his government's new legislation will allow workers the right to refuse to work on Sundays.

Hon Mr Rae: I do feel that it provides for that right, and I do feel that, in the circumstances, it makes an important statement about the rights workers have, just as our occupational health and safety legislation, which was produced by the member's party when the Conservatives were in office and supported by all three parties, also provides for a right to refuse unsafe work. It seems to me that it is important for legislation to contain those rights, and that is exactly what the legislation does.

Mr Harris: We agree it makes an important statement, one that we support and have been calling for for a considerable period of time. I accept the Premier's assurances that in fact it is more than an important statement but it actually provides protection. But there are thousands of Ontarians who want the opportunity to work on Sundays: students who need extra money; parents who need two incomes; thousands of struggling retailers all across Ontario, but particularly in tourist communities and in border

communities, who want to open on Sundays, who need the additional revenues to stay in business.

If the Premier is convinced his labour legislation is so strong that it protects every single retail worker who does not want to work on Sunday, can he explain why we need his other bill, which is merely a new version of the current Liberal law?

Hon Mr Rae: I will tell members what our legislation is. If they look at the history of this question in the House over the last several years, and the leader of the third party and I have both been here for the time this was being discussed, first of all at the end of the Conservative government through the 1985-87 period his then leader, Larry Grossman, got up and said he was on one side of the issue; then his party reversed itself and said no, it took a different position. One of the members of his caucus, the member for London North, has been a leader on this question.

We support a common pause day, recognizing the validity of the tourism exemption, and that is precisely the direction we have taken. It seems to me that it is a direction that is entirely consistent with the mood of the majority of the members of this House and of this assembly over the last decade, and that is all it is.

1500

Mr Harris: We are losing \$2.2 billion and 14,000 jobs to cross-border shopping, part of that as a direct result of Sunday closings. Hudson's Bay estimates it lost 4,800 jobs since its stores were forced to close on Sundays.

Many believe the government's new legislation quite frankly is a sham. It does nothing to help ease the burden of our retailers. All it does is maintain responsibility for Sunday shopping to the municipalities, something the Premier vigorously opposed when he was in opposition, and on top of that it now passes on all the costs. It is provincial legislation against the objections of the municipalities, and now it offloads all the costs on to municipalities.

I ask the Premier, how does he justify this new legislation not being asked for by municipalities? They do not want the responsibility. He knows that well; that was his position. How does he justify bringing in this bill which reinforces that it is their responsibility, something he opposed, and now offloads all the costs of enforcing it on to the municipalities as well?

Hon Mr Rae: During the entire decade of the 1970s when the Progressive Conservatives were in office, the question of designating tourism was in the hands of the municipalities. That was true throughout the 1980s, when the member for Nipissing was a member of the cabinet of Frank Miller. The position we have taken as a government—

Interjections.

The Speaker: Order. If the member for Etobicoke West wishes to make interjections, which of course we know are out of order, he needs to be in his seat in order to be out of order.

Hon Mr Rae: I can only tell the member that the balance we have struck, in terms of the tourism exemption and the fact that the municipalities are responsible for designating that, is not any significant change in the responsibility of municipalities from what was the case prior to the

former legislation. Municipalities always had the responsibility with respect to bylaws on tourism.

What would the member rather have? Would he rather have a provincial bureaucracy with an additional cost of \$1 million or \$2 million? Is that the kind of solution he would like us to have? He should make up his mind in terms of what he wants.

ONTARIO HUMAN RIGHTS COMMISSION

Mr Curling: I will direct my question to the minister responsible for the Ontario Human Rights Commission. Yesterday the CBC reported about the Ombudsman conducting an investigation into the operation of the Ontario Human Rights Commission. In that report, the Ombudsman discloses in part that due to the tremendous backlog choking the commission and the lack of adequate staff to process the investigative claims, many cases have been jeopardized because of that process. The minister seems to feel that the appointment of five commissioners, who will sit one week every three months, will somehow magically cure the serious problems afflicting the commission. Will the minister please advise the House how she expects the part-time commissioners to perform such miraculous feats?

Hon Ms Ziemba: First of all, the commissioners meet every six weeks and not every three months, and they meet for three days. But what I want to talk about is a new plan for case management. I think that is very important, because that is really what we want to address.

This year we have focused on supporting an effective case management plan and we are going to make sure that all staff working in other areas will be working on case management. There is a task force on older cases. This will be extended another year. These people who work on the task force doing the older cases are experienced staff who have a reliable background and are working very hard to make sure that backlog and the very serious cases are addressed quickly. We are fast-tracking and making a very straightforward process for the straightforward cases that can be addressed easily and quickly. The very complex cases are being assigned to experienced staff so they can be addressed in a meaningful way. We have also started an early settlement initiative and the early—

The Speaker: Could the minister conclude her remarks please?

Hon Ms Ziemba: I am sorry, Mr Speaker. The case management program plan is very long and detailed. I am just saying that we have a definite case planning and are working towards that and we do have a lot more initiatives in place to settle the case management backlog.

Mr Curling: I should put to the minister again that the commissioners do not look after the day-to-day operation and they will not resolve the backlog, as she seems to have indicated. The \$12 million the previous government, the Liberal government, put in there will end by October of this year. There is no money there. The minister did not fight for any other money. There was no money there to increase. We need money to employ people and to look after the backlog. Of course the Ombudsman stated in the

report, as disclosed by the CBC, that it may be a good sound management process, but the money is needed to do that.

Will the minister fight to get more money so that the backlog can be addressed? She should not depend on the commissioners to feel that when they meet occasionally this will eventually clear up all the backlog.

Hon Ms Ziemba: Last year, \$3 million of new money was allocated to the OHRC. We felt this year that the new case management program had only been implemented in September and needed some time to be addressed and looked into, and we did not feel we needed more money at this particular time to address that issue.

What we had to do was to look at how to address the case management plan. Obviously, last year the increase of \$3 million did not address the backlog; it did not reduce the backlog; it did not make a difference. The \$3 million made no difference at all. We just saw an increase in the backlog and that is how it was. We decided this year that we wanted to implement and use our money creatively in a fiscally responsible way and make sure the cases were managed in a very proper way. As I said, we have a very long, extensive process of making sure that we are fast-tracking and that there are new processes in place. The new commissioners who are going into place will work as a team with the commissioners who are there already and with the staff, to make sure the cases are handled properly.

Mr Harris: I have a question for the Minister of Citizenship as well. It deals with a problem of 1991 and I hope she does not try to give me an answer, like the Premier, that solves the problem of 20 years ago.

In the report last night that was aired by CBC—and it is typical of the Liberals; they think the solution to every problem is to spend more money. I want to congratulate the minister for not falling prey to that trap, unlike virtually the rest of her colleagues, including the Premier and the Treasurer. What concerned me about the report was that \$3 million of new money was added in 1989 and the backlog is longer. I understand the Liberals think they will spend even more money and that the problem will be even worse.

What does the minister have to say about allegations that the \$3 million was misspent and that it went into middle management and not into hiring case workers and into the types of programs that would actually clean up the backlog? Could she give us a report on that?

Interjections.

Hon Ms Ziemba: I am having a hard time answering the questions, as my colleagues are saying to me that I am being called Mr Minister when I am really Madam Minister, but that is fine.

We were concerned about the way the money was spent last year and as we saw, the \$3 million had been put into a budget. I am pleased to say that with the new process of case management and the fact that new staff have been hired—a new executive director has been hired since that money has been allocated; she was hired in June of last year and she is working very hard to manage within the system.

I really have to congratulate the staff at the OHRC and so the commissioners because they have been working under a very difficult situation. When there is a big backlog, when the community is upset, there is concern and they have worked under great stress. Their morale has picked up. The turnover in staff has really diminished. In fact, they are at a low in staff turnover compared to other years. The staff is working very hard and trying to work in team effort. I thank the member for congratulating us for not being fiscally irresponsible.

\$10

Mr Harris: The second aspect of the report of last night that concerned me immensely was that instead of spending time solving the backlog, it appeared as though the staff at the Ontario Human Rights Commission were spending more of their time and effort in how they could thwart the investigation of another provincial government agency, that of the Ombudsman, which was in there trying to help and to make recommendations on how we could improve the system.

I wonder if the minister could tell us why one agency of this government is spending time and money thwarting an investigation by another agency of this government, both surely trying to come up with solutions to the problem of this horrendous backlog.

Hon Ms Ziemba: I really think the staff of the OHRC have worked very hard and very closely with the Office of the Ombudsman. I have the confidence of the staff. We have a lot of new staff, and this report was started in 1989. Since then, in those two years that have transpired, the staff has changed dramatically and the co-operation between the Ombudsman's office and the staff has been handled very well.

I have to say they have been working under extreme pressure, they have tried to accomplish miracles, they have now looked at a very good way of case management and they are working very hard to address their problems. I think we really have to support them. Human rights and people with human rights violations are the responsibility of everyone. Every one of us here—and this is not a political discussion—has to take responsibility to make sure that people do not have their human rights violated. I wish to have the co-operation of every member of this staff that we can eliminate racism and prejudiced environments.

UNIFIED FAMILY COURT

Mr Winner: My question is directed at the Attorney General. At present, family court judges, with the exception of the Unified Family Court in Hamilton, are limited in the rulings they can make regarding the best interest of children. For example, a judge cannot challenge the authority of the children's aid society to place or transfer a ward to or from a particular setting unless there has been a clear abuse of statutory authority, since judges at the provincial level lack the *parens patriae* jurisdiction of superior judges.

Given that in a Unified Family Court judges would have an overriding authority to assess whether a placement is in the best interest of the child and if necessary, to find alternatives to serve a child in his own family or community,

what steps are being taken to establish a Unified Family Court across Ontario, since the report of the Advisory Committee on Children's Services recommended in November 1990 the creation of a Unified Family Court at the superior level?

Hon Mr Hampton: The question is indeed a good one and a timely one. We have indicated to the federal government our desire to talk about the concept of a Unified Family Court in Ontario, because we are certainly aware of the problems and concerns with respect to the family court structure as it now exists and are hopeful that we will receive a favourable response from the federal government.

Mr Winner: When the Unified Family Court is established, will the jurisdiction of these judges extend to all cases concerning the welfare of children, including divorce and division of property?

Hon Mr Hampton: We are interested in talking with the federal Minister of Justice about the whole concept of the Unified Family Court. It would clearly be our goal to put in place a Unified Family Court which allows the court to deal with all issues pertaining to family law and to the best interests of the child.

CONFLICT OF INTEREST

Mr Scott: It is always a pleasure to welcome the Premier back. When he has been out lecturing in lands where he has no responsibility, he comes back rejuvenated, behaving just like the old opposition member he still inherently is.

I would like to ask him about conflict of interest under his government. He supplemented the Members' Conflict of Interest Act with the much-vaunted Premier's guidelines, which were to put all matters to rest but which have—what shall I say?—not exactly been a roaring success on the ground.

After six months, we have seen the secret modification that went to his caucus. We have hired a Bay Street lawyer to figure out who divested and who did not and why and why not. We have seen ministers and parliamentary assistants obliged to answer about a wide variety of things.

One of the simplest things in the conflict-of-interest act is the rule respecting gifts, which provides, under subsection 6(1), that a member is not allowed to receive any gift in excess of a certain amount or any gift that is connected directly or indirectly with the performance of his or her duties.

An hon member: Question, question.

Mr Scott: We are coming to the question and I think he will be interested to hear it.

An hon member: Not getting paid by the hour here.

Mr Scott: I know he is not paid by the hour here. What I want to ask the Premier is what he would think if it came to his attention that the parliamentary assistant to the Chairman of Management Board received a very handsome cheque made out in his own name some six weeks ago for addressing a public meeting or a convention meeting on the subjects that are inherent in his ministry.

Hon Mr Rae: I think any such cheque should be promptly returned.

Mr Scott: What would the Premier make of the fact that the commissioner said it should be returned and that he wanted confirmation from the secretary to the Premier that it had been returned? What would he make of the fact that the request was made some three weeks ago, 23 May, and that there has been no response? There is no indication that the cheque has been returned. There is no letter in the commissioner's office from Mr Agnew that the cheque has been returned. Is this the way badly paid parliamentary assistants are going to be allowed to supplement their incomes under the Premier's guidelines?

Hon Mr Rae: I am sure that, in the interest of fairness, the member for St George-St David would want to give me a chance to ask the member about this. But let me make it very clear to the member for St George-St David that I am sure any such cheque should be returned. I have made that very clear and, as far as I am concerned, that is basic.

Mr Scott: So is it going back?

Hon Mr Rae: Absolutely, and I answer that in terms of my first question.

HERITAGE CONSERVATION

Mrs Marland: My question is for the Minister of Culture and Communications. I was amazed and actually very disappointed that this minister announced the formation of an advisory committee on the new heritage legislation. The previous government launched a heritage policy review four years ago. Last May we finally received its new heritage policy and draft legislation. Fifty-four groups submitted feedback on the proposals. Now the minister's advisory committee will not report to him until November. In the meantime, our history is being torn down. My question is, given the urgent need to protect our historical buildings, why is this minister delaying the introduction of new heritage legislation?

1520

Hon Mr Marchese: This minister is not delaying the legislation I hopefully will be able to bring it once we have been able to bring all of the heritage activists together, and many of them are in this advisory group. Many of these members have been consulted about what the draft had put together, based on the consultations that had happened, and many of them have told us that their views were not reflected in that draft.

To be able to bring a comprehensive report together, I have put together an advisory group of heritage activists so that they can respond to the new draft, the new discussion paper we have put together. We are meeting in July, and in early September as well, to review all of this so we can have a comprehensive legislation or comprehensive policy that will protect our heritage buildings and our non-tangible heritage as well.

Mrs Marland: This minister is stalling. We have had four years of review and consultation. There is no reason the government cannot introduce the legislation now, then

have it go out to committee for consultation and public input.

As a matter of fact, his parliamentary assistant, the member for Kingston and The Islands, said on 20 December, "I am sure that we realize they need support from the Ministry of Culture and Communications...in a strengthened heritage bill which will be introduced in the near future." That is six months ago that his own parliamentary assistant made that statement. In the meantime, London, Markham and Toronto have had to pass private bills to protect their heritage buildings.

Is that what this government advocates, a private bill for every municipality in the province in order to save our heritage buildings and with them our precious Ontario heritage? Is that really what this government is all about?

Hon Mr Marchese: I appreciate the member's concern and welcome the questions she raises. I want to assure her that this ministry wants to play a leadership role in making sure that we do not destroy our heritage, both our property and non-tangible heritage.

I want to point out to the member again that if we had put out the draft that was ready a few months ago, we would have delayed the legislation even longer, because those very people we would have consulted would have told us: "This does not reflect this. Go back and do it again." We would then have had to go back and consult again to make sure we had reflected their views accurately. What we are doing is making sure that all the questions are answered in the beginning so as to ensure the process is not delayed in the end.

SKILLS TRAINING

Mr Hansen: My question is for the Minister of Colleges and Universities. I question the minister's statement regarding the retraining agreement for the laid-off steelworkers of Sault Ste Marie. Why was it necessary for this agreement to be made? Is the operating grant that the Minister of Colleges and Universities provided to the Sault College of Applied Arts and Technology not supposed to cover the cost of this type of training?

Hon Mr Allen: Certainly the colleges are provided with funds to accommodate this type of training, but not the unusual and irregular numbers of enrolments that occur under these specific circumstances, which the formula is not designed to accommodate. In point of fact, the enrolment at Sault College is entirely full in terms of the grant allocations that have been transferred for this year. In a discussion this morning with the president of the college, Ron Doyle, he told me they had had a 67% increase in applicants for the first year over last year's numbers.

We were faced with a very simple situation. Were we going to simply displace community members in courses to which they wanted access in order to give preference to the Canadian Steel Trades and Employment Congress and the laid-off workers in the Algoma community, or were we going to provide additional funds in order to make that happen? We decided to take the latter course, to help the college accommodate that unusual enrolment in order to provide training for those laid-off workers in the Sault.

Mr Hansen: How long will this agreement last?

Hon Mr Allen: In the first instance, the program will last two years, but it is open-ended in the sense that if the federal government is prepared to put further funding into the CSTEAC part of the agreement and extend it over a longer period of time, this government will match that funding and prolong the program.

DISPOSAL OF DEAD ANIMALS

Mr Poirier: I have a question for the Minister of Agriculture and Food. As the minister is quite aware, operators of companies that retrieve dead animals from Ontario farms are going through some extremely difficult times, to the point that at least one of the major operators has ceased operations as of 31 May. His own ministry's recent audit of the finances of six typical deadstock dealers has shown that for 1991 the predicted average loss per operator will be about \$125,000, and for some about \$500,000.

Licensed deadstock recuperators used to pick up deadstock free of charge to farmers because they used to make some profit from the sales of animal hides, meat, bones and byproducts. Unfortunately, prices paid to deadstock dealers for these products have now fallen through the floor, to the point that some companies now want to charge the deadstock dealers for taking these products. How is the minister going to resolve soon this incredible predicament that farmers and deadstock operators are caught in?

Hon Mr Buchanan: I want to assure the member that this is not a new problem for this minister. This is a problem that we encountered immediately on 1 October, when we started dealing with it from my ministry's perspective. There were meetings with the operators. We met with the deadstock dealer-operator association. We have had several meetings with the various commodity groups. The member makes a good point when he states that the commodities they have to sell in order to cover their expenses and make a reasonable profit have been in serious decline, and projections are not good for the industry.

The meetings we had with the various farm commodity groups were an attempt to have these groups look at a checkoff or some way of providing money for the industry, rather than having a direct grant from the government. We were unable to resolve that issue with a checkoff; however, the commodity groups, producers, have supported the concept of user pay. The government has endorsed that concept. Not all the operators are happy with it, but they have been trying to cope with that system in order to continue to provide service.

It is a difficult situation for farmers when they are asked to pay for a pickup, especially when they have lost an animal, but it is a situation we are working with. We are going to advertise the seriousness of the problem and continue to monitor the situation.

Mr Poirier: The minister and his colleagues the Minister of Health and the Minister of the Environment will be especially interested in the following: We all know that the law says it is the responsibility of farmers to dispose of their dead animals by opting for one of two options—either burying the animal under at least two feet of earth

within 24 hours of its death or having it removed by a licensed deadstock dealer.

As the minister knows, some deadstock dealers caught in the sudden financial vise have tried to implement a direct user fee to the farmers for recuperating their dead animals. This has proved to be a fiasco as they have since noted a substantial reduction of deadstock picked up at farms. I wonder what is happening to the missing carcasses. Evidence seems to indicate that direct user fees result in the fact that carcasses may be disposed of in manners contrary to the law, with possible grave consequences to the environment and the public's health, especially in the winter months.

The best way to ensure that all farmers will call licensed deadstock dealers each time a dead animal needs to be picked up is for the minister to implement a commodity checkoff per animal or product unit sold by farmers. Would the minister please confirm that he will not implement a direct user fee for farmers, but instead will put in place soon a checkoff system?

Hon Mr Buchanan: We continue to explore that. We would need to work in co-operation with the various commodity groups if we were going to look at a checkoff. In fact, I personally support that. I think it is a much more uniform system and probably would provide better service to the farmers in rural Ontario. However, it is not up to me to impose that. We continue to have negotiations with the various commodity groups. Some of the groups do support the concept of a checkoff and others do not. With the closure of the one large operator in eastern Ontario to which the member referred, I think this will bring the problem more to a head and perhaps all of the livestock groups can come together and agree on a checkoff.

1530

HOCKEY FRANCHISE

Mr Sterling: I also have a question to the Minister of Agriculture and Food. I advised his staff earlier today that I would be asking this question because I would like a real answer. How much is the minister spending to oppose the building of the Palladium for the Ottawa Senators in the regional municipality of Ottawa-Carleton? How much is his ministry spending in opposing this application for rezoning of this land?

Hon Mr Buchanan: I cannot answer the question at this time; the Ontario Municipal Board hearing is taking place. This is a question of considerable note that is before the hearing and I do not feel it is appropriate for me to give out the answer to that question at this time.

Mr Sterling: If the Palladium is not built on its present site, everyone should realize there will not be Ottawa Senators in the regional municipality of Ottawa-Carleton.

These hearings are going on for eight weeks. The ministry has hired top legal outside counsel; it has hired at least five, six or seven expert witnesses. The hearings are to go on for some eight weeks. I have heard estimates that it is going to cost the proponent, Bruce Firestone, who is appearing in front of the OMB today, probably in the neighbourhood of \$1 million to go through this process.

The Ministry of Agriculture and Food is the chief opponent to this application.

The people in eastern Ontario are asking why the minister is spending all of his resources to fight this particular application for 98 acres of perhaps class 2 agricultural land, when there are thousands and thousands of acres of class 1 agricultural land in southwestern Ontario going into urbanization with little but a nod from his ministry. What does he have against the Ottawa Senators? What does his government have against eastern Ontario?

Hon Mr Buchanan: I want to assure the member for Carleton that this government has nothing against the Ottawa Senators. What the ministry is doing is upholding the Food Land Guidelines which suggest that if there are alternative sites that are suitable, the farm land should be preserved. That is what we are doing, upholding the Food Land Guidelines which say if there are alternative sites, then that land should be preserved for farm land.

I would remind the member this is a new government that believes in preserving farm land, class 1 and class 2. These are not the old days. I remember back in the heyday of his party's government when we had 21 acres per hour going out of production. This government believes in preserving agricultural farm land.

The Speaker: Could the minister conclude his remarks.

Hon Mr Buchanan: We will continue to fight to preserve agricultural land through the OMB and through other processes, because we believe it is very important to preserve the farm land and the farmers. We also believe it is important to have this hockey team in Ottawa. We think there are alternative sites and we will do what—

The Speaker: Would the minister take his seat, please.

FRENCHMAN'S BAY

Mr Wiseman: My question is to the Minister of the Environment. I attended a meeting last night with a number of residents who live around Frenchman's Bay in my riding. There is a considerable amount of concern developing over what is happening in Frenchman's Bay with potential silting up and development around the edges. I would like to ask the minister whether she has had a chance to review the situation with Frenchman's Bay, and what is happening with her ministry.

Hon Mrs Grier: I am glad to respond to that question because I know the area and the ecosystem of Frenchman's Bay have been considerably stressed over recent years and there is enormous pressure for development in that area. I am glad to be able to share with the House the fact that we have had a consultant look at all the reports—and I think there are 20 of them—that have been done over the years and prepare a comprehensive overview of the state of the bay.

My understanding is that the report is almost completed, at which point it will be released. I hope the local municipality and the groups in the area will have some public discussion and a public debate as to what we can do to protect that very special area.

PETITIONS

SOCIAL SERVICES

Mr Jackson: I have a petition to the Lieutenant Governor and to the Legislature of Ontario:

"We demand that the Rae government act immediately to introduce a social worker act for Ontario. Without this urgently needed legislation, every member of the public in Ontario, including those most vulnerable and disfranchised, remains at enormous and unnecessary risk.

"Mr Rae, your government must act now. Building a strong Ontario for tomorrow is dependent on protecting the children and families of today."

This petition is signed by several hundred social workers and health care professionals and has my signature of support as well.

Mr Miclash: I have a petition to the Legislature of Ontario:

"Yes, I demand that the Rae government act immediately to introduce a social work act for Ontario. Without this urgently needed legislation, every member of the public in Ontario, including those most vulnerable and disfranchised, remains at enormous and unnecessary risk.

"Mr Rae, your government must act now. Building a strong Ontario for tomorrow is dependent on protecting the children and families of today."

This petition is signed by 74 people and I attach my signature to it.

PLANT CLOSURE

Mr Wood: I have a petition here, signed by 39 people in Kapuskasing. They are concerned about the accommodation management information system plan they are talking about putting into effect which would involve a direct lay-off of 1,200 people, and in the whole community it would involve 6,000 people. It is signed by 39 people, and it is my pleasure to present this in the House today.

FRENCH-LANGUAGE SERVICES

Mr Ramsay: I have a petition here that I am pleased to present on behalf of my constituents, although I do not agree with the contents of the petition:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Whereas the French Language Services Act, 1986, Bill 8, continues to elevate tensions and misunderstandings over language issues throughout the province, not only at the provincial but also at the municipal levels; and

"Whereas the current government disputes its self-serving select committee and intends to encourage increased use of French in the courts, schools and in other provincial services to ensure that the French Language Services Act is working well to the best of their concentrated efforts; and

"Whereas the spiralling costs of government to the taxpayers are being forced even higher due to the duplication of departments, translations, etc, to comply not only with the written but also the unwritten intent of the French Language Services Act; and

"Whereas the spiralling costs of education to the taxpayer are being forced even higher due to the demands of

...t another board of education—French-language school
ard,

“We, the undersigned, request that the French Language Services Act be repealed and its artificial structures dismantled immediately, and English be declared as the official language of Ontario in governments, its institutions and services.”

SOCIAL SERVICES

Mrs Cunningham: I have a petition addressed to the Legislative Assembly of Ontario, which reads as follows:

“We request the government to act immediately to introduce a social work act for Ontario. Without this urgently needed legislation, every member of the public in Ontario, including those most vulnerable and disfranchised, remains at enormous and unnecessary risk.

“Mr Rae, your government must act now. Building a strong Ontario for tomorrow is dependent on protecting the children and families of today.”

This petition is signed by 114 people from the south-west Ontario area including London, Brantford, Windsor and Stratford, and I have signed my name to this petition.

GOVERNMENT POLICY

Mr Callahan: I have a petition here signed by numerous people. It reads:

“Do you disagree with tripling the deficit? Have you had enough of tax increases? If yes, voice your dissatisfaction. Sign below. We will send this form to Bob Rae and Lloyd Laughren.”

I submit the petition and I have signed it myself.

540

INTRODUCTION OF BILLS

MULTIMOBILE CORPORATION LIMITED ACT, 1991

Mr Offer moved first reading of Pr65, An Act to revive Multimobile Corporation Limited.

Motion agreed to.

MAGNUM INTERNATIONAL PRODUCTIONS INC ACT,
1991

Mr Mahoney moved first reading of Bill Pr42, An Act to revive Magnum International Productions Inc.

Motion agreed to.

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON
AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LA
MUNICIPALITÉ RÉGIONALE D'OTTAWA-CARLETON

Mr Cooke moved first reading of Bill 123, An Act to amend the Regional Municipality of Ottawa-Carleton Act.

M. Cooke propose la première lecture du projet de loi 123, Loi portant modification de la Loi sur la municipalité régionale d'Ottawa-Carleton.

Motion agreed to.

La motion est adoptée.

CITY OF CHATHAM ACT, 1991

Mr Hope moved first reading of Bill Pr75, An Act respecting the City of Chatham.

Motion agreed to.

HIGHWAY TRAFFIC AMENDMENT ACT, 1991
LOI DE 1991 MODIFIANT LE CODE DE LA ROUTE

Mrs Cunningham moved first reading of Bill 124, An Act to amend the Highway Traffic Act.

M^{me} Cunningham propose la première lecture du projet de loi 124, Loi portant modification du Code de la route.

Motion agreed to.

La motion est adoptée.

Mrs Cunningham: The purpose of the bill is to amend the Highway Traffic Act to require that bicyclists wear helmets. The reason we are introducing this bill is that statistics in Ontario and Canada speak for themselves: 60 children will die in bike accidents in Canada this year, most from head injuries, and over 5,000 children will be seriously injured. Bicyclists with helmets have an 85% reduction in the risk of a head injury and an 88% reduction in the risk of a brain injury. The purpose of this bill is to prevent such tragedies, and we will be doing this bill two weeks from now.

ORDERS OF THE DAY

ONTARIO LOAN ACT, 1991

LOI DE 1991 SUR LES EMPRUNTS DE L'ONTARIO

Resuming consideration of Bill 81, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund.

Reprise de l'étude du projet de loi 81, Loi autorisant des emprunts garantis par le Trésor.

The Speaker: Yesterday, pursuant to standing order 27(g), the division requested on the motion for second reading of Bill 81 was deferred until immediately following routine proceedings today.

1550

The House divided on Mr Laughren's motion for second reading of Bill 81, which was agreed to on the following vote:

La motion de M. Laughren pour la deuxième lecture du projet de loi 81, mise aux voix, est adoptée :

Ayes/Pour—63

Abel, Allen, Bisson, Buchanan, Carter, Christopherson, Cooke, Cooper, Coppen, Dadamo, Drainville, Duignan, Farnan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huguet, Jamison, Johnson, Klopp, Kormos, Laughren, Lessard, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock, S., North, O'Connor, Owens, Perruzza, Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Ward, B., Ward, M., Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson, F., Wilson, G., Winninger, Wiseman, Wood.

Nays/Contre—28

Arnott, Beer, Bradley, Callahan, Carr, Chiarelli, Cordiano, Cunningham, Elston, Eves, Grandmaître,

Harnick, Marland, McClelland, McLean, Miclash, Murdoch, B., Poirier, Ramsay, Runciman, Sola, Sorbara, Sterling, Stockwell, Tilson, Turnbull, Wilson, J., Witmer.

Bill ordered for third reading.

Le projet de loi devra passer à l'étape de troisième lecture.

OPPOSITION DAY:

ONTARIO ECONOMY

Mr Kwinter moved opposition day motion 4:

That in the opinion of this House, this government has failed to recognize and address the massive deindustrialization and restructuring under way in the Ontario economy which has led to the loss of 248,000 jobs since the New Democratic Party assumed power, the erosion of Ontario's quality of life and the destruction of the fabric of manufacturing and resource communities. Therefore, this House calls upon the Premier and the Treasurer to provide leadership in establishing true working partnerships with business and labour to reorient the province's fiscal priorities, attract new investment and new jobs, improve competitiveness and train and retrain Ontario workers in order to enable Ontario industry and workers to compete in an increasingly global market.

Mr Kwinter: I rise to speak on a topic that is causing me some great concern. If members will look at the motion, it does not really blame the government for creating this problem. I do not think anyone would be as naïve as to think that on 6 September suddenly everything in Ontario went, as the expression goes, to hell in a handbasket.

There is no question there are cyclical things that happen in the economy and this government had the misfortune of getting into government at the time when the economy was down in the same way we had the good fortune of being in power during five years of unprecedented growth in Ontario. Again, I do not want to mislead anybody to think we would assume to take credit for those five years of unprecedented growth, growth that in fact was so unprecedented it was the leading economy in the industrialized world during much of that time.

What I do feel is that this government has failed to recognize and address the massive problems that are taking place, and what is even worse, it has exacerbated the problem.

I was at committee the other day and the Minister of Industry, Trade and Technology appeared to talk about cross-border shopping, and one of the causes was free trade, according to him. When I pointed out to him, "Could you tell me one single item that has either gone up or gone down as a result of free trade?" he said: "Technically, you're right. There's no question that that hasn't happened, but there is a climate, and free trade has created this negative climate." So what I would like to do is talk about some of the climate conditions that we have in Ontario and how this government has failed to address them.

Members will remember that on 30 November an ad appeared in the Wall Street Journal and it said, "Investors beware." It went on to talk about the problems under a New Democratic government in Ontario and it finished by

saying, "If you once thought Ontario was a safe place to invest, think again." I want to hasten to say that I think this ad was irresponsible. I do not in any way condone the people who put the ad in the Wall Street Journal. Having said that, the fact is that this ad was in the Wall Street Journal; it reached a million decision-makers in the United States who were in a position to possibly affect a decision to invest in Ontario, and they saw this ad.

1600

On 17 December Barron's, which is the official organ of Dow Jones, the bible of the investment industry in the United States and for that matter the investment world, had an editorial, and the editorial is headed, "Ontario Hydra"—not Hydro but Hydra—"In Canada a New Socialist Threat Raises Its Ugly Head."

What is significant about that article, other than the fact that it is very derogatory about the government, is that during that week Margaret Thatcher was literally holding on by a thread in the United Kingdom, the Persian Gulf war was just getting under way, Mexico and the United States announced that they were going to be pursuing a North American free trade agreement, and there was significant news out of Europe 1992 and significant news out of GATT, but Barron's, an American publication, the official spokesperson of Dow Jones, used its editorial page to deride what was happening in Ontario, saying, in its final words, "Let foreign buyers beware."

You add to that the budget that came out on 29 April. We already know what has happened there. The bond rating services have downgraded Ontario's credit worthiness. I admit that other than the money and maybe some embarrassment—I do not know whether there is any embarrassment or not—it is not that significant in itself, but it is really just one more thing to add to the picture of Ontario.

When the Treasurer went down to New York not too long ago, there were comments in the media by American counsellors for people investing in Ontario saying, "I'm telling my people to pull out."

Add to that Bill 70. Without question, the government has obviously seen the error of its ways and has retracted the most objectionable parts of Bill 70. But the major concern about Bill 70 is not so much its draconian provisions but the fact that about 30 people in this government, the cabinet, sat down, must have heard all of the provisions of Bill 70, must have been told what it meant and what it was, and they thought it was fine. Obviously they thought it was fine because it was introduced, which meant that the Premier of Ontario thought it was fine, and that the Minister of Industry, Trade and Technology thought it was great. He must have thought it was great, or he has no voice in the cabinet. The Treasurer obviously thought it was fine, and everybody else in that cabinet thought that Bill 70, with all its provisions, was just fine.

What happened, as we all know, is that the bill was introduced. I can say as a member of the previous government for nearly six years that we had some controversial bills. We had our share of them. But as to the angst and the negative impact on the business community of that act, I have not heard of anyone having that same feeling about any other bill that we brought in, and I have to tell members

be brought in some beauties. I say "beauties" in the sense that they really alienated some people.

Obviously the message got through, but what has happened is that the feeling is there that here is a government that does not seem to really care about its ability to attract investment. Is that important? Should we worry about it?

I should tell members that Ontario is one of the most trade-dependent jurisdictions in the world and one of the most investment-sensitive jurisdictions in the world. When you take a look at the major plant closings, almost without exception they are all controlled by offshore companies.

The sad part of this tale is that if a Canadian company goes bust or shuts down, that is normally because it has gone bankrupt or the owner has died, or for some reason the company goes down. When you have these multinationals going down, the main reason is that either the plant they have is no longer competitive, is not productive, or there has been a corporate decision to rationalize, to downsize, or as some would call it to rightsize, and they take a look at all their options. They have lots of options and that is one of the benefits and one of the problems of having foreign investment in your jurisdiction.

I have used this line before, but Tennessee Williams wrote *A Streetcar Named Desire*, and Blanche Du Bois, in one of her final lines, says, "I have always been dependent on the kindness of strangers." That is really what Canada is. Canada has always been dependent on the kindness of strangers. When we wanted our resources developed, we had to go to the United Kingdom, to the United States and to other European countries, and more recently we have gone to the Far East, to Hong Kong, to Korea and to Japan, and we are very active. The Minister of Industry, Trade and Technology will tell members that we have a network around the world trying to attract industry and investment to Ontario.

It is competitive, I can tell members. I have sat down and negotiated with companies like Ford, where we are competing intracompany. I remember a situation where there was a decision whether the plant should go to St. Louis, Missouri, or whether it should go to Oakville. The decision is made at the boardroom table and the people at Ford in St. Louis are as anxious and as determined to get that plant as the people in Oakville.

What happens is that the board sits there and has to make a decision. I can tell members that in politics your past comes back to haunt you. We constantly dredge out what members said in opposition and what the Premier said in opposition. We bring that out to bolster our arguments and to try to deflate the arguments of the now government.

These people do the same thing. I can tell members that these plant managers and these vice-presidents are saying: "Instead of going to Ontario, take a look at this. Look at this ad. Look at this article. Look at what they have done. Why would you possibly go to that jurisdiction when you can do it here and you know what you are getting? You know we have this progressive environment and it is something we can in fact build on." That is a problem and that disturbs me, because what it is doing is

making it more and more difficult for us to go out and attract this kind of situation.

The attracting of investment and new jobs is as much dependent on the perceived climate as it is on any of the cash incentives or any of the other inducements that are there. It is something that is almost impossible to counter because you do not know when it is being used against you. I am very disturbed that this seems to be something that is not of great concern to this government, and if that is the case, so be it and we will take our chances. That, I say, is a sad commentary.

The other thing I want to talk about is competitiveness. There is a, surprising to me, total unawareness, it seems, certainly by the Minister of Industry, Trade and Technology, of what competitiveness means. Yesterday, in a response to the leader of the third party, he talked about "the United States, and the disparity which sets us in an uncompetitive position, if they do not understand the impact of the free trade agreement and how that has disadvantaged the Ontario trucking industry and any number of other industries, if they do not understand the North American free trade agreement and what the potential impact with Mexico could be here, they do not understand competitiveness. It is not the Treasurer of Ontario who does not understand it; I think it may be the treasurer in Ottawa who does not understand the word 'competitiveness.'"

1610

I can only say that the minister has no idea what he is talking about because what he has done is to outline what is uncompetitive, not competitive. If he talks about Mexico, it has nothing to do with competitiveness; it means that we are not competitive with it, that we are uncompetitive. As a result, there is no desire to attack that particular problem.

Let me tell a story that puts it into practical terms. It is one we deal with, or we will be dealing with very shortly. It was alluded to by the Premier today, and that has to do with de Havilland.

De Havilland is an aircraft company in Toronto very close to my riding; it is probably 1,000 feet out of my riding. It has around 5,000 employees. It is the largest employer in Metro Toronto. It is owned by Boeing, the largest and most successful aircraft company in the world. It has a product, the Dash-8, which is one of the most successful short takeoff and landing aircraft in the world. It has orders for this airplane. As a matter of fact, the last time I heard, they had about 100 aircraft on order. That is a very healthy order book for this aircraft.

They want to get rid of that company, and the question has to be, why? Boeing is the largest and most successful aircraft company in the world. It is their business to sell airplanes. They have a successful airplane that people want to buy. Why would they possibly want to sell that company?

The answer is very simple. At the present time they are building five aircraft a month in that plant. Figure it out: That is 60 a year; they have over 100 orders; it is going to take them a couple of years to fill their existing orders. The sad part about it is that every time they build an airplane, they lose over \$1 million dollars.

They felt that if they maybe built six a month, which would fill their customers' orders sooner, they might be able to effect some savings. They did a cost analysis and found that if they built six a month, they would lose more than \$1 million an airplane. What is really the saddest part, and what really points out the uncompetitive aspect of that company, is that its statistics and studies show that if it was building that airplane in Seattle, Washington, where its head office is and where its main plant is, it could build three a month and make money.

They have said, "There is no way we can continue to subsidize our customers to buy this plane, and as a result we are selling out." The new buyers, Aérospatiale from France and Alenia from Italy, have taken a look at it and said:

"We are certainly not interested in buying this company just to lose money. We will buy it on the condition that we can restructure it, which means we are going to have to do some very radical things. We are going to have to cut down on the work force. We are going to have to out-source some of our materials. We are going to have to get competitive. That is what we are talking about when we talk about competitiveness. If we cannot compete, there is no reason for us to buy it."

Immediately, the response of this government is: "No way. You have to keep those jobs. You have to be uncompetitive because we are not prepared to let you buy that company and be competitive. We insist that you pay for the honour of losing money and staying uncompetitive." That is a silly kind of argument. That is the typical kind of response that we are getting.

We are getting exactly the same thing at Algoma. I have great sympathy for the workers who are there. It would be a terrible thing to have people lose their jobs, but let us not continue to kid the troops. Dofasco, which is one of the most successful and the largest steel company in Canada, just bought it three years ago. They have decided they are going to write off \$700 million. They did not say, "We are going to sell it to somebody." They have determined that they are taking their investment, they are writing it off and they are not going to support that company any more. The response I would have made is, "What can we do to make that plant more attractive to Dofasco or some other investor to keep it going?" But that was not the response. The response is, "We're going to put a plan in to save those jobs."

The goal is laudable, the method makes no economic sense. What we have to do, instead of putting money in to save jobs—and I know that sounds heretical. How can you possibly turn your back on workers? I am not advocating that at all. What I am advocating is that what we have to do is create wealth. We have to create a viable entity, which in turn will keep those jobs, and then you are not artificially propping it up until the next crisis, where then suddenly you have that problem and you have to shut it down anyway.

A perfect example of that is Sysco Steel in Nova Scotia. That company has been a sink-hole for years and years. The federal government and the provincial government have been pouring money into it, even though any objective

observer will say there is no reason for that company to be in that particular range of business, same way as Algoma.

There are areas where Algoma is very competitive and there are other areas where it is no longer competitive. There has to be a realization that we have to be able to make that distinction. That means this government has to change its orientation. That does not mean turning its back on one sector or the other, but it means looking at the total picture.

Notwithstanding that there is a strong labour orientation to the government and notwithstanding that there is where a lot of its support is, if it is going to deal with the workers fairly, if it is going to serve the needs of Ontario, if it is going to serve the needs of the business community, it has to be able to make those tough decisions. It has to be able to say, "Yes, we are going to provide funding to do certain things, but that doesn't mean we're going to provide funding to prop up an unviable entity that is just going to be a drain on the public purse and is going to have to be addressed later on."

De Havilland is a perfect example. De Havilland has had a long and glorious history. Some members are old enough to remember the Second World War, when they were building the Mosquito bomber. When it was found that they were no longer competitive, the federal government stepped in and turned them into a crown corporation, put hundreds of millions of dollars into that company and eventually decided: "That's it. We've put far too much money into this. We can no longer reasonably afford to keep propping it up. We're going to sell it." So they sold it to Boeing. Unfortunately, Boeing had to take over a situation that it could not deal with. They could not deal with it because it was not productive.

I know a lot of my colleagues want to speak, but I want to talk about one other aspect, which again I think contributes to the problem. That is the double-edged sword of free trade with the United States and free trade with Mexico. Lord knows, I was the spokesperson for our government and I am not opposed to free trade. I never have been and I do not think any clear-minded individual can be opposed to free trade. That is the way of the world. GATT is going to make free trade a fait accompli. By the year 2000 most of the tariffs are going to be removed.

I think the deal was a terrible deal. I think we gave away far too much for what we got, and that is why I opposed it. I think they gave away the store, but the thing people should realize, and it is sad how few people do realize this, is that before the free trade agreement went into effect, 80% of the trade in goods and services between Canada and the United States was duty-free. The other 20% that was in place had an average tariff of between 7% and 10%. That 20% is going to be removed over the next 10 years, and two years have already gone by.

1620

So the impact of free trade is negligible, other than in the minds of the Minister of Industry, Trade and Technology and some others, who blame free trade every time they get an opportunity to blame something. Without question, psychologically the impact of the free trade agreement may have sort of got manufacturers in Canada tuned

to the fact that they are into global competition, but the net impact has been very, very small.

It is the same thing about Mexico. I hear these Chicken Little stories saying the sky is falling and, "If we get involved with a free trade agreement with Mexico, you know what's going to happen to us? It's all over." That is again patently absurd. At the present time, 80% of the trade between Canada and Mexico is duty-free. There is no prohibition about any company in Canada going to Mexico to take advantage of its cheap labour. It is not going to change with the free trade agreement.

One has to understand that Mexico is not unique when it comes to cheap labour. We are into that kind of global economy right now. Taiwan, Thailand, India, Brazil, Singapore—every one of them is a cheap-labour jurisdiction that is competing with us now. What people do not realize, particularly the Minister of Industry, Trade and Technology, is that our two major competitors are Japan and West Germany, and they are very high-wage countries with high standards of living. They are the guys who are beating us in the marketplace.

The guys who are out there with \$2-an-hour labour are not a factor. We are not that kind of economy, so it makes no difference. We are not trying to say to our workers, "These guys can do it for \$2 an hour and you're going to do it for \$20." That is the kind of mentality that is going to put us into what someone once described Canada as—a third World country with illusions of grandeur.

What we have to do is become a niche player. We have to train our people to the point where we are not providing them with labour opportunities that are easily duplicated by the people in Mexico or Thailand, Taiwan or Singapore, Poland or China, or any of these other underdeveloped or newly industrialized countries. What we have to do is get our workforce—and we are blessed with a superior workforce that has the ability to be trained, that has the ability to be directed—to the point where we can compete with anybody. We have excellent role models.

Northern Telecom is a leader in telecommunications in the world. It is a Canadian company, it is organized labour. No problem; it does its thing. It is a world leader in that field. We have Spar Aerospace, another world leader. We are very strong in such areas as transportation, telecommunications, petrochemicals, computer software and resource technology.

Unfortunately, we are also very weak in a whole other range of areas and we, as a government, have to address that. We have to make sure that people are sensitized to the fact that: "Yes, the job you had yesterday and for the last 10 years is gone. We're sorry that it's gone, but here are some new opportunities."

What is happening is also a sad commentary on what we are doing. I had hoped to have the opportunity to question the Minister of Colleges and Universities when he talked about the program to retrain the workers in Algoma. I hope they are not training those workers to make candlesticks, when the day they graduate someone is going to invent the electric lightbulb. When I hear people saying, "We're going to train these people," I get a little suspicious, because I am saying, "What are you training them

for?" Is this going to be a make-work program? Are they just going to be put into some kind of program to say: "Hey, we're putting some money into this program. We are training you, but when you graduate, you may or may not have a job"? That is something that concerns me, something for which I found no comfort in the budget. There was nothing in there talking about a specified, direct program.

In closing, I would like to talk about the area of research and development. It is sad that a country with the potential of Canada and a province with the potential of Ontario is devoting so little time to research and development. We are doing better than most in Canada but certainly not well enough. At the present time, of the leading jurisdictions in the world, it is interesting that Israel is number one, a tiny little state. Among the major powers, you have Japan, which has about 3% of the gross domestic product, the United States with 2.8% and Canada at 1.3%. Ontario is at 1.7%, so you can imagine where Canada would be without Ontario in it.

Unless this government makes a conscious decision to direct its resources to getting the kind of technological capability that will allow us to compete, we are going to find ourselves woefully inadequate in the global economy. We are going to see a province that is enjoying one of the highest standards of living in the world deteriorate. We are going to be like the little boy at the candy store with his nose pushed up at the window, watching the goodies on the other side of the glass and not being able to get to them.

I would strongly recommend to the members on the government side that they have some input into what is happening, to make sure that the standard of living we have come to enjoy in Ontario is maintained, not only for ourselves but for our children and our grandchildren.

Mr Sterling: I have the responsibility as the critic for the Ministry of Industry, Trade and Technology, and I want to say that I appreciated the comments of the proposer of this motion, the member for Wilson Heights. However, it is a little like the pot calling the kettle black. For him and his party, the Liberal Party, to complain that 284,000 jobs have been lost since the New Democratic Party assumed power and to foist the blame upon the governing party for that development is really outrageous, albeit I think this government has exacerbated the situation dramatically, particularly on 29 April, when it brought down a \$9.7-billion deficit. But for the Liberal Party of Ontario to put forward a resolution like this is really quite amazing.

Let's remember what happened during the election. Why did the Liberal Party lose in the last election? Remember that the member for Nipissing brought forward in the first two weeks of the campaign the fact that the Liberal government raised the provincial debt by \$10 billion in the five most prosperous years of our history. It was significant that the Liberal administration increased taxation 33 different ways over the five most prosperous years, when revenues were growing without any tax increases.

Revenues naturally increase if our incomes go up, because there is more income tax. We all pay more income tax if we earn more money.

But that was not good enough for the last Liberal administration: 33 different ways of taxing us in new ways, and that raised 132% more revenue for the government of Ontario over those five years. Can members imagine what that did for people who were trying to invest in their businesses—finding new taxes, day after day?

1630

The people of Ontario, during the good times, were able to pay those taxes, but what did they do with the revenue? They did not say: "Look, these are good times. We should pay off the times when the debt had been accumulated in this province," to, I believe, about \$30 billion. They did not say, "Let's pay down that debt because, you know, in the future there may be some bad times coming, and so we should save for a rainy day," and we are now in the rainy days of a recession.

The Premier was right today, when the leader of the Liberal Party asked a question about the NDP government and losing the jobs and the economy, etc. Why did the government call an election before it was three years into its mandate? Because they knew what was coming down the pipe. They knew they were headed for a recession and they did not have the guts to stay there and fight the recession with the mandate that they had. They did not want to be honest with the people, and the people caught on. I think that, in a lot of ways, this resolution points to the arrogance of the past government. For them to blame this new government for all of the recession and what is happening is really unfair. That is the tenor of what the Liberal Party has been doing over the last little while. They are trying to shift all of the blame for their incompetence over the last five years on to these new fellows.

The final slap to the public of Ontario was a \$40-million election, an unnecessary election, which the people did not buy, and they threw these rascals out: 94 they had before, and they came back with 35. They did not elect us because, I think, of extraneous reasons. Our federal cousins were not very popular at that time and people linked us to them and, therefore, they did not choose us. So they chose these fellows over here, these fellows and women, to run this province. Unfortunately, they were served a dog's breakfast. People's expectations were raised as to the amount of services, the money that was there. It seemed like a bottomless pit. That is the idea people had in this province, that we could continue to increase our social services and there was no bottom to the barrel of money that was there to spend on these things. But we know that is no longer true.

The new government came in and, unfortunately, it did not realize the errors of its predecessors, the Liberals. It brought forward, in my view, an irresponsible budget, a budget calling for a \$9.7-billion deficit, and today we passed a bill in this Legislature, just prior to this debate, to give the Treasurer the right to borrow \$12 billion, which is going to be paid off, hopefully, by our children and our grandchildren.

Over the past two weeks, our party has gone across this province and talked to many people about the New Democratic budget, and the people are not only blaming the New Democratic Party but they are blaming the Liberals as

well. They are saying, "Hey, you can hit the New Democrats, but you've got to talk about the Liberals as well, because they led us into this." They talk about our federal cousins as well, and we do not make any excuses for any of the three, in terms of their ability to run their particular governments.

We believe, though, that it has got to stop. People want to talk about the ability to invest in this province, or the ability of our children to have jobs here. I think that, regardless of what political stripe you come from, the motive is the same. The motive for me, for my Conservative colleagues, is not to provide business with irresponsible profits. It is not to provide people with protected environments. It is to provide our children, our constituents, with good jobs, good-meaning jobs, with as high a standard of living as possible. I think we are all trying to achieve that.

We, though, in this party, particularly under the leadership of the member for Nipissing, believe that it can only be done through responsible fiscal management. We do not think that the last Liberal government provided that, and we think quite detrimentally of the direction we see coming from the New Democratic Party.

I do not want to attack the Minister of Industry, Trade and Technology on a personal level, because I think he is a fine fellow and that kind of thing. But when I walked into this House and I looked at the seating arrangement of the ministers when this was originally set up, I was a little bit upset to see the Ministry of Industry, Trade and Technology, which has heretofore been one of the most powerful ministries in government in terms of the influence of that minister, sitting in the back row. I do not think that has any reflection on the minister or the Ministry of Industry, Trade and Technology, but I think it is a mindset in this government, and that those who deal with the business sit in the back row. They are at the back of the line, and those who deal with labour, labour unions, sit in the front row.

We know the Minister of Labour sits in the second row in this government. I think the Minister of Labour should be in the second row, but I think the Minister of Industry, Trade and Technology should be beside him, if that is in fact what we wanted and intend to create, the perception that business is welcome in Ontario. I have got to tell members that that visual effect does have some kind of impact when you walk into this Legislature because, generally speaking, the more senior, the more influential people get closer to the leader, because they advise the leader of their feelings and are required to advise him from time to time.

We went across this province and talked to a number of people across this province. Quite frankly, after listening to a number of people in these hearings, some presentations were good, some were so-so good, but some were very good. Unfortunately, the very good ones were absolutely frightening. We heard from probably 50 or 60 different presenters.

When we were in Ottawa, two young fellows came before us who were members of the Renfrew Junior Chamber of Commerce. The member for Lanark-Renfrew had contacted them. These two young fellows are members of the Junior Chamber of Commerce of Renfrew and

also going to university. They are in their second or third year of university. They came in front of the committee. It was frightening to hear them talk about leaving Ontario for opportunity elsewhere. They said to us that they thought we were being unfair—and I am using the generic “we”—we as politicians were being unfair in terms of not meeting our obligations to pay for what we are spending. Why should they, as the youth of Ontario, pay for our excesses? That was a message that they delivered to us in Ottawa. It is frightening when you hear young people say: “Well, you know, Ontario is not the land of opportunity. Maybe we’re going to look somewhere else.”

Another interesting person who came forward was Bob Cartier, who owns a small electrical contracting firm of five people. Fifty people work for him. He was a hands-on, hard-working electrician who had built up a business. He said quite frankly to us, “Look, if I could move this company to the United States and work there or work in another jurisdiction, I’d do it.” That is a terrible admission in terms of our inadequacy to deal with small business here in Ontario.

40

Another submitter to the committee was David Mason, the chief tax adviser for Arthur Andersen and Co. He related to the committee about going to a seminar held in Ottawa where he was asked to speak about setting up business in the United States. Over 100 people were there. The conference was oversubscribed by two to one. He said that was even more disheartening for him, as an Ontarian and as a tax consultant and somebody who liked Ontario and liked Canada, was that these were bright, intelligent entrepreneurs and technical people who were going to pick up and leave.

In Peterborough, a person from the business association talked about his consultations with the people who are involved in the residential moving business. The people who are in the moving business in Peterborough are experiencing a whole host of moves by young, entrepreneurial engineers and scientific people who are moving from Peterborough down into the United States.

But perhaps of all of the presentations the one I think had the most sobering effect on our leader, the member for Mississauga, and on the member for Etobicoke West, the member for Leeds-Grenville, the member for Simcoe West and the member for York Mills and a number of other people who were involved was a presentation by Bill Fraser. Mr Fraser is the president of CompAs Computer Assembly, which employs 400 people in Brockville and 460 people outside of this province. He was not only representing his company; he was representing other larger endeavors in the Brockville and eastern Ontario area.

He told us a story of a company that had moved out of Kingston two years ago which had been there for years and years. It made picture frames, picture framing material, etc. That company moved to Watertown, New York. They are now shipping their product back here to Canada, paying the duty on it, even though there is duty on their particular product, and they have moved from a red line to a black line in running their business.

Mr Fraser started this company, was one of the founders of it. One of the most sobering parts of it all was when he said that although he is a Canadian and a person who has been in Ontario and worked in Ontario all of his life, he now has come to the realization that he probably will end his working life in the United States of America. He is going to be forced to make that decision because of the inhospitable environment for business in this province.

I think the proposer of this resolution, the member for Wilson Heights, said in his opening remarks that there were some great beauties in terms of legislation that the Liberals brought into this Legislature, and there were, things which were difficult for business to assume and take on. Employment equity was a great idea but very costly to implement. That was a non-productive piece of legislation which did not produce a cent more of revenue for business or for workers but was put on to the backs of private business, or is being implemented into that now.

We saw the employment health tax, which is not really a health tax at all. It is just another tax; it is a payroll tax. We saw increased taxes of all and different kinds. We saw new regulations on business. One of my concerns when the member for Wilson Heights was sitting across the floor as the Minister of Industry, Trade and Technology was whether or not he had real impact in that cabinet whereby he was saying to some of his colleagues who were bringing forward more and more regulation, more and more taxes: “Hey, stop it. You’ve got to stop it. You’ve got to protect business. Business has to be influenced to stay here.”

Now I am afraid that with the present Minister of Industry, Trade and Technology sitting in the back row, with some of the stories we have heard about the influence of labour over this government, we have a government that does not want to listen to its Minister of Industry, Trade and Technology. I am not trying to say that because it is the member for Oshawa. I do not care who it would have been in terms of appointment to that ministry. It could have been Sam Jones or Joe Doe, or whoever. I do not think that this government is going to give any priority to the Minister of Industry, Trade and Technology. I think that is wrong and it is bad for the business community in this province.

I see in the members’ gallery Bill Laidlaw, who works with Glaxo, which is a large pharmaceutical firm here in Ontario. I know that the pharmaceutical manufacturing industry has been concerned about seeing the minister, about talking to the minister, about influencing the cabinet so that it is able to invest money in this province to undertake research and development to keep the jobs here in the province. It is a very, very complex issue with regard to not only dealing with them but also dealing with health care policy for payment of generic drugs, etc.

I think it is important that the Minister of Industry, Trade and Technology listen to people like Mr Laidlaw, who has an interest in this debate this afternoon because he wants to stay in Canada and in Ontario. He wants his company to invest here in Ontario and Canada. The minister has to take his case to his other people and say, “Hey, there may be some short-term political pain, but in the

long term it will be good for the investment of more bucks and goods jobs in Ontario if we listen to some of the advice we're given from people like Mr Laidlaw."

The budget hearings by our caucus quite frankly were discouraging in terms of hearing a lot of depressing news from people across this province who heretofore have invested their lives and savings into this province. We believe this government is going 180 degrees in the wrong direction. We believe this government has got to pick up the idea that it must restrain its spending.

Excessive spending now means taxes tomorrow. We agree with the part of the resolution of the member for Wilson Heights that says this minister and this government have to find some method of working in partnership with business. They certainly have not demonstrated it to us yet to this date. But notwithstanding that it leaves us in a far better political position that they carry on as they are now, we do truly hope that the government will see the folly of its ways, will introduce some spending restrictions, will treat business equally with labour, as I believe our government did prior to 1985, will listen to both and will take some of the advice for a change.

Mr Jamison: I am pleased to stand and respond to the motion put forward. One of the concerns I have in the immediate motion itself is that one of the numbers seemed to implicate this government in the loss of that magnitude of jobs in this province.

Ontario's economy has been experiencing the worst recession since the Second World War. This downturn, which has affected all industrial economies, has produced pressure for significant structural changes, and that pressure will continue to be felt for the rest of this decade. The economy's capacity to adapt to structural change has been impeded by a rate of productivity growth that has been below that of many other industrialized nations for the past several years. The effects of structural change are magnified again by globalization. In 1990, 65% of major layoffs were the result of permanent plant closures, in contrast with the recession in 1982, when 24% of layoffs were permanent.

1650

As parliamentary assistant to the minister, I have had the opportunity to speak to a number of manufacturers from across this province. If there were one singular thing that would help, one singular action that would help turn the manufacturing sector around and help keep plants in this province at this point in time, these manufacturers have pointed out very clearly to me it is the level of our Canadian dollar that hinders them from exporting product from this country into other markets. Unfortunately, the government of Ontario has little means of controlling that level of the dollar.

I have listened pretty patiently, and I can tell you that in my opinion, from the time we took office as a government, the vibrations, the message that has been delivered by both opposition parties concerning the New Democratic Party, the duly elected government of Ontario, is one of fear. I say that in their heart of hearts, they should realize that they are not doing a service to this government, to this

province and to the hard-working people of this province by spreading these rumours.

I can tell members that the Ministry of Industry, Trade and Technology has not only kept all of the programs in place, but has expanded programs to ensure that the business climate in this province is one that will remain very good. Ontario still is one of the best jurisdictions in North America to do business in.

It is something that really makes me wonder. The official opposition was the government prior to the election and, as the third party member just really pointed out called for a \$40-million election. Many of us could not figure out why at that particular point. We are not complaining, of course, but we had a feeling that it was odd that that election would be called at that point.

It was called because they knew very well that we were headed into a recession that could be deeper than the 1982 recession and could last longer and last till the end of their natural term. We find ourselves today really wondering what the actual thought was. I tend to believe it was that in itself.

It is true that the deficit will rise this year from \$3 billion to an expected \$9.7 billion. However, this increase is not based on unrestrained spending. It reflects decreasing revenues and real cuts in federal support and increased demands for social services. The recession will erode provincial revenues by up to, at the latest projections, \$3.7 billion in 1991-92. Federal decisions to restrict support for health care and education will result in a further \$1.6-billion projected funding shortfall for Ontario in 1991-92. Added to that is the fact that social assistance spending, which is a statutory obligation, will rise by \$1.4 billion, or 40%, in this fiscal year. So when we find the opposition parties talking about the deficit and how scary we have become, I can tell members that, very simply, the deficit, by this government not moving in any direction, would have been \$8 billion or thereabouts.

I find it is very easy to talk about free trade and how it has affected us. One thing that is for sure in the Ministry of Industry, Trade and Technology is that yes, plants are moving to their home base. Multinationals are moving that way. Why? Because they do not have to have a branch plant here.

It was a poorly negotiated deal. I tend to agree with the member that we are moving into a trading bloc scenario, but we have to be very careful about how we do that. I would like to remind the opposition party that free trade in 1987 was not negotiable for it unless six specific conditions were met. Those conditions are not met even today, and they went very silent on the issue afterwards.

The member for Wilson Heights talked about our Bill 70 legislation. Bill 70 proves that we are listening. We are not here to do harm to the business community. We would like to see business thrive and prosper in this province, just as much as any of the opposition parties, and we will be working hard at that. Just today the Premier made reference to that in one of his answers to the many questions that come from across the floor.

I would like to leave some time for other speakers, and therefore I will wrap up. Again I say that many of the

problems we are experiencing in the business community today evolve around federal policies. Just today, in one of the local newspapers, an article headlined: "Tory MPs Rip Government"—their own—says: "Ottawa—Two Tory backbenchers tore into the government yesterday over massive GST profits and outdated bankruptcy laws that force businesses to close." It seems odd to me that we have that happening in federal politics but that, as our provincial Tory party is so quick to point out, we should be cutting, cutting, cutting at any expense. I find that not to be the case with their brothers in Ottawa.

Having said that, I will at this time give time to other members to address the motion.

Mr McClelland: I appreciate the opportunity of participating in this, I believe, very important resolution brought before this House by my colleague the member for Wilson Heights.

I want to take just a brief moment to draw attention to a few comments that were made by our friend the member for Carleton in the third party. I think it is important to note that at the time of the change in government there was in fact still a net job creation in this province. The member for Carleton indicated that the trend was certainly not simply the result of the change in government, and that in fact is the case. We are all very much aware of that.

But the resolution that it seems to me the member did not read—I am sure he understands it but chose to skirt around—talks about a strategy to address the problem. Nobody denies for a moment that we are in difficult times. Nobody denies for a moment that we knew a year or so ago we were headed for difficult times, but the challenge put out to the government of the day is to respond to those difficulties.

I say to the member for Norfolk that again he stands in his place and talks about the federal government. We are not talking about the federal government. The new men and women opposite were elected to do a job in Ontario. Their cabinet colleagues have the levers of power in this province to respond, adjust and do things to make things happen. It is the height of naïveté for them to continue day after day to blame it on other people.

1700

The federal government has an impact on what takes place in Ontario—doubtless that is true—but certainly this government has some responsibilities and it is time it began to address them, to look at some strategies about job creation and address the very real concerns of the people in this province.

In the very few moments I have, I want to draw attention to a great concern I have. I could talk about small business and the impact it should be having on the economy in the province. Close to 80% of new jobs created are created by entrepreneurs.

I say to the ladies and gentlemen on the government side that Venture is not just a show that takes place on Sunday nights after the CBC news. Venture capital comes from one of two things. It comes in to create new jobs or to turn problem companies around. This government does not understand that, it seems to me. They do not

understand the impact their policies are having on people who want to create jobs. They should wake up, smell the coffee and understand that the future of this province is determined in part by what they will do in the next four years, not by whom they will blame. They should take some proactive positions.

I am glad the Minister of Industry, Trade and Technology is here today. He is a man I admire as a friend. I respect him a great deal as an individual. But where is this ministry in terms of job creation in the small business sector? What is the minister doing? What has he done to help those people? Two thirds of the people who find their first job find it in the small business sector.

The youth in this province has begun to see tremendous difficulty. Youth unemployment from May 1991 was at 16.4% in Ontario. That is 165 young men and women out of work who have no future in terms of their employment at the present time. That is an increase of 31,000 young men and women out of work over the previous month. This cannot go on continually. The minister has to respond. He has to be proactive and come up with some initiatives. He should look at our friends in Quebec and what they have done: an opportunity to do some on-the-job training, some hard programs and some direct addressing of the issues at hand.

At the risk of being a little parochial, I want to make some comments about the area I represent. This story could be told 130 times over, more or less, with various adjustments for the area. In the region of Halton-Peel, 1,055 individuals in 146 businesses went bankrupt in the first three months of 1991. What is the response of the government? Manpower says this will be the slowest third quarter for hiring, and 13% of responding companies have said they plan layoffs. That is up 10% from last year. Manufacturers of durable goods are still showing a negative outlook. Only 17% of manufacturers say they will hire; 19% are saying they are expecting further layoffs and cutbacks. The question comes again by way of the resolution by the member for Wilson Heights: What is the government going to do about it?

Think of my friend the member for Timiskaming. He is concerned about jobs in the north. The member for York North wants to know what this government is going to do in the education system, how it is going to adjust that. The member for Mississauga West has often talked about small business. Where are they responding? What are they doing? Every time we ask those questions, the only answer we get is: "It's those terrible people up in Ottawa. They're not doing anything." I am not going to take issue with that. The issue is, what is this government going to do about the problems it has?

We recognize the problems. Yes, we understood we were facing those. They can speculate all they want about the reasons for the election being called. There a number of reasons for it. One of them was that the government of the day needed to have the confidence of the people to deal with it. They were given that confidence of the people, who put their faith in them. They formed the government largely by accident, I say. Largely by accident, 38% of the

people of Ontario voted for them and they formed the government, but there they are sitting there.

Hon Miss Martel: We didn't want an election in summer.

Mr McClelland: The government House leader can chat away all she wants and try to deny the fact, but she is in power now. She should respond and do something about it. She should take the initiative, take the levers of power in hand and not be afraid of them. She should have real consultation, sit down with the business community and begin to understand, because she certainly does not understand, how business operates in this province. She should work with them and attract some investment into this province so that we will have a brighter future for the young people and for those who are unemployed and waiting for them to do something.

Mrs Witmer: Throughout this province we continue to be faced with the trauma of lost jobs. Each day we learn of new business and plant closings and more unemployment. Although I have heard reference made to the fact that the federal government is responsible, we need to recognize that three quarters of all job losses in Canada have occurred here in Ontario and three quarters of the total decline has been in the manufacturing sector. Indeed, 248,000 jobs have been lost since the NDP government assumed power in this province last September. Last month we saw the provincial jobless rate climb to 9.7%.

This has had a devastating impact on Ontario's quality of life. It has contributed to the destruction of the fabric of manufacturing and resource communities. In my own communities of Kitchener, Waterloo and Cambridge, 28 factories have closed their doors permanently. This means that more than 3,000 jobs have been lost for ever, and this does not include the many small plant closings and layoffs or the potential loss of 2,000 jobs at the two Uniroyal Goodrich tire factories in Kitchener.

These job losses will have and are having an impact on the quality of life in my community. Many of the employees of these companies that have been with us since the early days of Kitchener-Waterloo, the people who have built our educational facilities and our hospitals, who have provided financial and emotional assistance to those in need of help and who have volunteered their time, will long be remembered for what they have done in our community. However, this government needs to look at the future. This government needs to recognize and address the present reality. It is time to provide workers with the training and retraining they need to enable them to compete in an increasingly global market. It is time to respond to the need to improve our competitiveness with our major trading partners.

At this point I would like to add that competitiveness does not just mean creating jobs; rather it means creating the types of jobs that command high and rising wages. It is time for this government to make every effort possible to attract new investment and jobs. It is time to reorient Ontario's fiscal priorities and establish a true partnership with business, labour and the educational community.

This government needs to recognize that low-skilled manufacturing jobs are moving and will continue to move

to cheap labour countries in the Third World and southern United States. It is unavoidable that anything else would happen. We need to prepare our people for high-technology jobs and for the skilled jobs in some 300 occupations that currently cannot be filled. Unfortunately, the present government does not appear to have a plan of action to educate our citizens for those jobs.

It is time the government encouraged business, labour and educational leaders to work together in an attempt to keep our province economically strong and diverse, to encourage them to embark on a path to establishing true partnerships. It is time to pool our resources and prepare our young people and our present labour force for new job opportunities and not lament the ones that have been lost.

We need to develop a new vision for this province; however, this will only be successful if we set aside our ideological differences and are truly committed to working together on behalf of all the people in this province. The key to provincial prosperity and corporate success in the future will be our education and training systems. In an age of global competition, value added products, technological change and rising international productivity it is the quality of our workforce that is going to determine whether we succeed or fail.

We need educated and skilled workers to sustain our province's industrial competitiveness. Ontario will only be guaranteed a place in the world market if our workforce remains flexible, innovative, mobile and educated. It is time to develop a coherent and comprehensive human resources strategy with a focus on education and training systems.

1710

We need to take a look at post-secondary education because we know that the workforce between now and the year 2000 will require almost half of those individuals to have five years of combined education and training beyond high school.

If we are to restore prosperity to this province and provide jobs for those who are unemployed, partnerships must be established. However, not only must we focus on creating new jobs; we also need to ensure that we retain the jobs we already have. In order to do this, we must ensure that we do not burden our industries with additional taxes and costs. We need to carefully evaluate the impact of all new legislation, such as that of Bill 70, as well as the new labour relations amendments and employment equity.

This government must start asking itself, can we afford this new legislation? Will it lead to further job loss? That is the question. It is not whether the legislation is good or bad, but whether we can afford it in its present form and at this time. Bill 70 in its original form was unfair, short-sighted and ill-conceived. It would have done irreparable harm to the fragile industrial fabric of Ontario. It shattered the confidence of the Ontario business community and potential investors. It was creating a powerful disincentive to doing business in this province. It was contributing to and accelerating job loss and the closure of businesses.

I find it difficult to understand why this bill was introduced in its original form. In order to avoid such chaos in the future, I would suggest that meaningful and effective

consultation take place. The measure of effective consultation is a policy which reflects a fair balance of the expressed views and concerns of all parties. Unfortunately, a relief exists in this province at the present time that the government is only paying lipservice to consultation and that it is only responding to the unions' agenda and not that of the private sector and business. It appears that the government is not interested in striking a balance that reflects the views of different interests in the province. I encourage the government to participate in meaningful and effective consultation. If this consultation does not take place, more companies will move out and jobs will be lost.

In conclusion, I call upon the government to truly encourage the establishment of partnerships with business, labour and the educational community. I encourage it to reorient its fiscal priorities. I encourage it to make every effort to attract new investment and new jobs. Finally, and probably most important, I encourage it to embark upon a program to train and retrain our workers in order to enable us to compete in an increasingly global market. It is only in this way that we can strengthen the economy in Ontario, and it is only in this way that we will make sure all the people in this province have access to meaningful jobs.

Mr Huget: I appreciate the opportunity to speak to the motion of the member opposite. The economic situation in Ontario is a matter of deep concern to this government. The province of Ontario has borne the brunt of the federal free trade agreement, which has had a devastating effect on our manufacturing and industrial sectors. The erosion of federal social programs, including unemployment insurance, has contributed to the destruction of the social fabric referred to by the members opposite.

We have lost over 300,000 Canadian jobs in the manufacturing sector since the spring of 1989. Ontario government data shows that in 1990, two thirds of the jobs lost were due to plant closures rather than layoffs. These losses are in part related to the free trade agreement, in part due to our high dollar and its negative impact on our competitiveness, and the close relationship to the high dollar and the free trade agreement. The sum of these parts is producing a major structural change in our economy which will have a profound impact on our industrial, economic and social policy strategies.

We must understand the changes that are reshaping our whole economic and social structure in Ontario. There are three main factors impacting on the types of jobs that are disappearing and the types of jobs that will be in demand in the future: One, we are seeing a long-term shift from the production of goods to the production of services as the primary source of job creation; two, our industry is restructuring in response to shifts in the competitive positions of other countries; three, technological innovations in the production of goods and services are creating the need for different types of companies employing a different and highly skilled labour force.

With the trend towards declining tariff barriers allowing cheaper foreign goods into our marketplace, finding the way to compete both domestically and globally will be a massive challenge that we have to face. The provincial

government is determined to assist those affected by the unfair economic and social policies of the federal government.

This government has made a commitment to the people of Ontario that it will take what measures it can to alleviate the effects of the recession. That commitment was affirmed through the provincial budget, in which the decision was made that people must not be deserted in times of economic hardship.

The motion put forward by the member opposite refers to the need for "true working partnerships with business and labour." I would like to inform the House, as others before me have done, that this government is committed to forging partnerships with those sectors. This is not a commitment in name only. It is not mere rhetoric. Establishing partnerships, consulting with stakeholders, drawing interested parties into the decision-making process are fundamental tenets of this government. This is a commitment on which this government has clearly taken action. This is a commitment on which this government has demonstrated leadership.

I would like to turn specifically to the issue of the energy policy of this government as an example of the kinds of partnerships that have been formed and the programs which have resulted. As parliamentary assistant to the Minister of Energy, I appreciate this opportunity to draw to the attention of the House the work which has been done since this government came to power.

In the throne speech, the government announced new energy directions for the province of Ontario. The Minister of Energy has made conservation and energy efficiency first priorities. As the members of this House will know, sound energy policy is central to our future. On a general level, we know that our current energy consumption rates are not environmentally sustainable. We all want a healthy, prosperous economy and we all want a cleaner environment. Reducing our energy use through conservation and efficiency can take us a long way towards achieving these goals.

Our economic security and ability to compete in the future depend on careful use of our resources now. Greater energy efficiency cuts costs and helps business become more competitive. The Minister of Energy has worked with business to assist that sector in adopting efficiency standards. Moreover, the drive for energy efficiency will help create a whole range of new business and manufacturing opportunities in Ontario in the energy efficiency and conservation field.

New markets for energy-efficient products will appear, and entrepreneurs will have fresh opportunities to make new products, provide new services and create new jobs in every region of this province. We have been pursuing these efforts in close consultation with the business community. Both business and government recognize that greater energy efficiency is essential to the future of Ontario, both for its environment and its economy. It is this kind of investment in the future of our province that the federal government should be pursuing, not the Mulroney strategy of high interest rates, a high dollar and free trade.

1720

Mr Runciman: I want to indicate that my party is going to support the motion of the member for Wilson Heights. I certainly have a lot of respect for the member. I have known him since his election to the House. He succeeded me as Minister of Consumer and Commercial Relations, and we jabbed at each other across the floor for a number of years, as I was then the critic for CCR and he was the minister. I must say he did an outstanding job as the minister, with those responsibilities placed upon his shoulders, and always carried himself well as a member of the executive council in the Liberal government, one of the few people in that government I can say that about, the member for Wilson Heights.

I want to touch on the motion and what the member is indicating are his concerns and his party's concerns. But before I do that I want to indicate it is clear that when the next election does arrive on the scene we are going to see the socialist government turfed out. It is a one-time phenomenon which could seriously injure this province for many years to come.

The real choice for the electors in the next provincial election is going to be between the Liberal Party and the Conservative Party of Ontario, so I think it is important that I spend a few moments talking about the record of the Liberal Party of Ontario under Premier David Peterson and the fact that it is indeed being critical of the current socialist government. The Premier stood up today and blamed all the ills of the current economy on the Liberal Party, on the Liberal government, and there is a great deal of truth to that. I interjected on that point that the Premier and his cohorts were responsible for putting the Liberals in power in 1985, so if there is some responsibility there the Premier and the NDP have to share that responsibility for putting the Liberals in office.

I sat through hearings on the budget in Kingston last week with my colleague from Etobicoke, and we heard some very disturbing testimony in respect of things that are happening in this province. We heard from Bill Fraser, who is representing something called the Industrial Alliance of major manufacturers in this province: Du Pont, Procter and Gamble, Black and Decker. This gentleman was saying he was terrified about what was happening in this province, and he talked about the burden placed upon them by the Liberal government of the past five years.

We are talking about the highest taxes in North America, but we are also talking about administrative costs when we look at pay equity, at the workplace hazardous materials information system, at the kinds of administrative costs generated by legislation and intervention in the private sector by the previous government. Of course, all the indications are that we are going to get more of the same from the current socialist government, so people in business and industry have no reason to feel confident about the future.

Mr Fraser told us he has worked and lived in Ontario all his working life and always wanted to continue to work in Ontario, but he now feels that without question he is going to end his working career as a resident of the United States of America. He is very much concerned.

When we look across the floor on a daily basis, when my colleagues, the finance critic or the Industry, Trade and Technology critic, or when any of us get up and express concerns about what is happening in this province, the kinds of responses we get from the NDP members are indeed scary. Mr Fraser has a genuine right to be terrified about the economy and the future of this province because of the response of the socialist members.

Only one of them has any business background whatsoever, I am led to believe, the current Minister of Tourism and Recreation. I want to say he is another gentleman who has some semblance of common sense, perhaps because he has a modicum of business experience. But the response we get from these members, the scoffing and the constant reference to the free trade agreement as the only cause for the current state of decline of the Ontario economy, are ludicrous. There may certainly be some element of responsibility with respect to the free trade agreement and what has happened with the value of the Canadian dollar with respect to the determination of the free trade agreement but for them to use that as a constant excuse—you look at the policies they are bringing in, the tax burden they are continuing to place upon the shoulders of Ontarians—and then to simply slough that off as a responsibility of the federal government is ludicrous.

Someone once said that socialism will only work in two places: in heaven where they do not need it, and in hell where they already have it. There is a lot of truth to that.

We have genuine concerns. Let us talk about the labour legislation being considered by the Minister of Labour. Look at what he did with the wage protection act. He scared the bejabbers out of people.

Interjections.

The Acting Speaker (Mrs Haslam): Order, please. Would the members please come to order. It is becoming a little more difficult for me to hear, and I do listen to the debate. The member for Essex-Kent would please refrain.

Mr Runciman: You are suggesting a new career for the member, Madam Speaker?

The Acting Speaker: The member for Leeds-Grenville will please continue.

Mr Runciman: I want to calm down, and perhaps that will calm down the troops across the floor as well. Both the Liberal Party and the current government have a lot of responsibility to share in respect of the current state of the Ontario economy. There is no doubt the federal government has some share of the responsibility there as well, but we are in Queen's Park, in Toronto, and the government is responsible for the largest economy, in provincial terms, in Canada. Ontario is often referred to as the economic engine of Canada. We are very quickly losing that and there does not seem to be any ability to recognize the very serious problems we face in this province.

We are increasing payouts for social assistance recipients. We are increasing social assistance in terms of housing. We are doing all sorts of things with respect to people who are losing jobs, but we are not doing anything whatsoever on, and there is no effort to address the question of

creation, none whatsoever. We talk about entrepreneurs. We talk about people who create jobs.

Interjection.

Mr Runciman: Yes, the public service. That is the specialists' only answer: growth in the public service. That is not a long-term answer for this province. We have to create a climate to encourage private sector investment if we want to create jobs. We want to see the economy grow; we want to continue to prosper in this province, and we are not getting that kind of approach from this government.

As I said, Bill Fraser, representing some significant industries in this province, is terrified—and I am quoting him directly—about the future of this province. He sees no way out under this socialist government. We across this floor can see no way out because of the jabbering. Madam Speaker, just listen to the kinds of interjections we are hearing today: no recognition whatsoever of the very serious problems they are creating and continue to create, many of which were policies fostered by their predecessors in the Liberal Party.

We in the Conservative Party are standing by our principles in respect of free enterprise. We are going to continue to fight this government every day, day in and day out, week in and week out, to make sure the future of this province is secure. We alone, in the Conservative Party, have a record that we can stand by with pride, and we are going to continue to fight this government, as I said, on a daily basis to preserve the future of this province for our children and our grandchildren.

Ms S. Murdock: I am pleased to rise today to speak on this resolution. It is my intent to focus on the second half of the statement from the member opposite, which is "reorient the province's fiscal priorities, attract new investment and new jobs, improve competitiveness, and train and retrain Ontario workers in order to enable Ontario industry and workers to compete in an increasingly global market."

The only comment I will make on the first part of this resolution is that many of the problems stated—and those problems do exist—were here long before we ever formed the government. I am glad to hear our official opposition recognizes that our eight months in office have not been the cause of the erosion of the quality of life in Ontario. Rather, the economic problems did not suddenly occur on September.

With the entrenched bureaucracies, both in and out of government, it is absolutely and totally foolish to think that changes to the outer infrastructures of society would happen so quickly. However, the second part as stated is what must be done for Ontario to move ahead. Both the Premier and the Treasurer of our province are already providing leadership in establishing true working partnerships with business and labour to do the very things necessary to change our direction.

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We in the Ministry of Labour are finding that the bipartite working groups are working at different levels and are finding that compromise does work. We know that working together is going to be how, in the end, Ontario's and,

indeed, Canada's future will be decided. We need only look to countries such as West Germany, Sweden and France to see how their economies have moved from serious deficiencies to viable markets.

Germany can be used as a prime example. A high percentage of their economy is based on exports, as ours will have to be. Their government set up an industrial strategy to develop an export market, but soon realized that there had to be a partnership among the socioeconomic players through which labour, business, government and other economic agents such as banks together would share the decision-making and the responsibility for labour market programs.

What happened? It is one of the best-developed industrial strategies in Europe today. Government there has admitted that without the kind of partnership it has now, it would have foundered.

Within the context of that partnership is the concept of co-operative management, something that I, when I did my business degree at the University of Windsor, believed in and worked towards: that working together with our employees is a must, and it must be the foundation of change for Ontario's future.

It has taken many years to have employee participation on health and safety committees throughout this province. Those companies that have believed in their employees and have asked for their participation on education committees, training programs, and production and process suggestions have found that not only have working conditions improved, but so have output and industrial relations. In fact, what they have developed is a trust that both groups have a vested interest in the maintenance of the company in a viable market.

A few weeks ago I spoke about the Workers' Compensation Board to an employers' group and, not surprisingly, the complaints made by both stakeholder groups are quite similar. In the question and answer period after my speech, I was asked why we did not want technological change—we, New Democrats. My answer, after some surprise, was that never have we as New Democrats ever opposed technological change. What we recommend and suggest to industry is that by advising of such change when it is contemplated, the potentially displaced workers can be retained, so that when the new technology is installed there will not be large numbers of unemployed. Not only that, but we ourselves as a government have to be strong participants in introducing new technologies into the workplace.

The point about retraining brings me to the whole idea of the need for training and retraining in this province. It is monumental. The government cannot do it alone. Private-sector participation in Canada needs dramatic improvement, and compared to other industrial nations we are abysmally low. Is it any wonder that the German economy has improved when the Germans have spent four times as much money on formal training in their country per worker as we in Canada have?

There is no doubt that:

1. An industrial strategy needs to be developed. We are doing that.

2. Training and retraining is required, and we are working on that through our labour adjustment package, which is going to be coming through the House.

3. Building partnerships with labour, business and other economic groups is being done and must be established so that our competitiveness—not a dirty word—in a global market will improve and so that new investment and new jobs will be a reality.

Mr Klopp: I take this opportunity to stand and debate this issue. I think the way the slant was given by the honourable member, he said, on one hand, "We know the problem was not created on 6 September," but then by the time he got done, he makes it sound like we created the problem and we carry on. He made the assumption that we created the plan that created the problem, when in reality it was New Democrats over the years who have said to the previous governments over and over again, "What you're sowing today, down the road will not work."

In fact, I draw one easy example. It is the agricultural problem that we have seen in this province. Those seeds were sown very greatly back about 1979 or 1978 when the interest rates started to climb. As a person who was in agriculture and just starting out at school, I remember the teachers told us: "Borrow lots of money. Buy your neighbour out. Good times are here. Interest rates will never go up. In fact, they're going to go down. Don't lock in your interest rates." When a few of us questioned that kind of analogy, taking business at business school, we were told: "You must be listening to your fathers. They have the old Depression theory. That'll never happen again."

My friends, by 1981 the interest rates skyrocketed. Many of my friends were caught in that swirling river of not having their loans locked in. The government of the time was told by the New Democratic Party: "We can fix that. Yes, it's going to cost a little bit of money to subsidize those interest rates, but it'll get those farmers staying on their farms." But that Tory government said: "No, no. It's a free-market enterprise. We don't touch it. We've asked some bankers." They ignored the problem.

I guess there were a few of us who said, "Well, maybe they're trying to get rid of farmers, so it's a good way to go." Unfortunately, now today we see 10,000 fewer farmers than we did back then. We see at least 38% of the farm community in deep financial problems. The saddest thing of all is, that problem created the fact that we now have people who are farmers taking jobs away from people who could have jobs. Not only that, when you have 10,000 fewer farmers you have 10,000 fewer farm families buying goods, creating wealth in this province.

There is an example of bad planning, planning that was started way back then which has now come to light. Unfortunately, I wish I could have been wrong back in 1978. I said, "No, maybe the teachers are right. Maybe a few of these people are right." But unfortunately they still have their jobs and many of my friends are gone. In fact, too many of my friends and one is too many, have actually committed suicide because of those kinds of problems.

We sit here now and we talk about business and labour getting together. I have an example clearly in my riding, since we got in power, of recognizing that everyone has an

island, but as a government which truly does not pick any favourites but says, "Let's be firm and fair," labour and business and a bank got together and saved some jobs.

The member for Leeds-Grenville had to stand up here just a few minutes ago and say there is only one member in this party who is a business person. I guess the Conservative Party has forgotten that farmers are also business people. Mr Stewart must turn in his grave to think that kind of ignorance and arrogance—I take that back, Mr Speaker—

Mr B. Murdoch: Will all the farmers stand up?

Mr Klopp: Right on. You are one, you are one. That kind of attitude truly does cause great concern because there are business people out there who have not been a member of the NDP, who have not realized that we have been in power in Saskatchewan, we have been in power in Manitoba, we have been in power in British Columbia and we have balanced budgets and done, if I may say so as Eugene Whelan said at an Ontario Federation of Agriculture meeting when he was the Liberal minister—there was a farmer who stood up and was all upset about how the Tories and Liberals had both been in power and they had not listened to the farmers. They were going to give money to the oil companies but they could not find any money for the farmers. I could not believe it. Mr Whelan said, "Well, you know what they did in Saskatchewan when the other governments wrecked the whole dang place? They voted in the NDP, who fixed everything, and then they voted them out and let the Tories and Liberals back in."

I could not believe it, but the man spoke what he felt. When the member for Leeds-Grenville makes that kind of assumption it makes the paper, but it really does create undue fear, as was pointed out by the honourable member in his remarks. He brought up two papers that said, "So-and-so said get the hang out of Ontario." I appreciate their version of things. They want to have their cake and eat it too. So does labour. I would, as a member of the federation, lobby government that I want this, this and this, and at the end of the day if I did not get it, well, it was their fault.

We all have our positions, but the bottom line is, we are a government that is taking long-term planning seriously and it takes time. As one good Conservative fellow in my riding said, "This time I'm voting for you because the two previous governments for the last 10 or 15 years have forgotten about long-term planning." The member for Leeds-Grenville used a little saying and I am going to use a little saying. Any good thing we have gotten in the last 10 or 15 years in this province has not been because of government but in spite of government. I take the responsibility seriously of walking slowly and carefully, but I please wish that the members opposite would not use so much rhetoric to scare people.

1740

Mr Wiseman: I would like to take a few minutes to take a look and put Ontario's industrial strategy within the context of the Canadian industrial strategy as we are seeing it unfold from the federal government.

The primary goal of the federal government is to attain zero inflation. As recently as about a week and a half ago, I had the pleasure of meeting John Crow, who is the president of the Bank of Canada. At that dinner and in that speech he indicated that his goal was zero inflation.

How do we to achieve zero inflation within the context of the Canadian industrial strategy? We achieve this zero inflation by putting people out of work, by raising interest rates and by having bankruptcies. This is not really helpful to Ontario in its intent to try and move down a road for a long-term strategy.

I would like to revisit just for a moment if I might the impact of this strategy on the Canadian economy, and particularly on Ontario. In 1987, the value of the Canadian dollar was 73 cents, the inflation rate was 4% and the unemployment rate in Ontario was around 7%, but in the GTA area it was less than 4%. Since then we have seen the inflation rate rise, the interest rates rise and the unemployment rate rise, all because the central bank has raised the central bank rate to a point where businesses are going out and closing.

Today we have an 87-cent dollar, which is a 20% increase for businesses to operate. I have talked to the businessmen in my riding. One of them said that it is very difficult for him to compete and stay open while the dollar is at 87 cents. It has added a 20% cost to his exports in doing business in the American market.

Interjections.

Mr Wiseman: The Conservatives are bellowing like a bunch of hyenas over here, but the fact is that policy was followed by the federal government at the G-7 conference when Brian Mulroney was sitting there, the great guru of transcendental meditation. It allowed the dollar to rise, putting our manufacturers at a tremendous disadvantage.

Interjections.

Mr Wiseman: They can heckle all they want, but the reality is that John Crow is going to pursue his bank rate to 0% or less inflation which is going to create huge problems for the economy in Ontario.

Hon Mr Pilkey: This is rather a complex issue and I welcome the opportunity to address it. I did have a series of prepared remarks I wanted to give here this afternoon, and no, I have not lost them, but time, as I see by the clock, really does not permit me to go through all of them. What I am going to do is revert to some crib notes that I have taken throughout the debate and perhaps speak more specifically to the resolution that was offered by the former Minister of Industry, Trade and Technology, the member for Wilson Heights.

I think the member for Carleton was very fair in his comments earlier when he suggested that this resolution, directed at the New Democratic Party and at this ministry in particular, was well off the mark and perhaps akin to the phrase about the pot calling the kettle black. I think that is appropriate when we look at the facts and see that under the previous government and during the time spent in the ministry under the sponsor of this motion, the recession was well under way. As a matter of fact, I believe even during his tenure employment had dropped by some

109,000 people, and during the next six months employment dropped a further 115,000.

We have heard many comments as to the reasons, whether the former minister wants to blame the present minister or vice versa, or the members of the third party raise their concerns as to whose problem it is. But the fact of the matter is that all of us here, all of us in North America—the USA, Canada and Ontario—are suffering difficulty from this recession. It is not solely based here and it is not solely created here.

If I might address the resolution, it speaks of the need to have true working partnerships. I gather that is something the previous government was not able to achieve because it complains about it on this particular day. It is true that as we look round the globe, we see the interaction of not just business or not just labour promoting their own agendas, but they are joined by a third party and that is the government of that particular country.

They have come together as a single force, not as opposing groups, not as confrontational groups, but they have channelled all of their efforts collectively. They have focused them in order to compete successfully against all the other world traders. That is exactly what this government needs to do, that is what this province needs to do and that is why this government has spoken so critically about partnerships.

It is our intent to develop them. We have started to develop them by meeting with a wide variety of sectors, having advisory councils and seeking the support and interest of all those people, whether they be in business, labour or associations throughout this province.

The second thing the resolution talks about is fiscal priorities. If the former government had been re-elected, the former Treasurer probably would have been looking at an \$8-billion deficit. There was no way out for that government. We have already heard the comments on why it called a snap election. I do not think anybody is slow and we appreciate the reasons why it did that.

This government spent in additional and new funding in this budget \$1.5 billion. Half of it went on an anti-recession program and the other half went to maintain services for the people of this province. The Treasurer quite aptly, and I think properly, decided to fight this recession and not the deficit, because people—individuals, families and single-industry communities—in this province are suffering and they need help. They do not need it tomorrow and they do not need a lot of political excuses. They needed the help today and they got it.

The resolution also speaks to the question of attracting new investment and new jobs. I even hesitate to say this, with the support I received earlier, but to be objective for a moment, Ontario is not the only government in this nation of ours that sets fiscal and monetary policy. There is something called the national government, the federal government, and the policies that it espouses and provides. I think, in fairness, not just in the words of myself and of those who are economists and write in the trade journals, but people who run businesses and people who are members of unions have expressed concern over some of the policies of the federal government in terms of the high

dollar, interest rates, free trade, the goods and services tax and the deregulation that it has imposed on many industries.

It is a double-edged sword. On the one hand, it is done to create competitiveness and productivity. On the other hand, we see the Ontario trucking industry laid open to what I believe to be unfair competition with the United States. The federal government and the former Liberal government here in Ontario supported that and we see the kind of results that we have on industry and people who are laid open to that kind of competition without the proper time frames and adjustments.

We also hear questions in this resolution about improving competitiveness, and certainly we do need to improve competitiveness. There is any number of ways that needs to be done. One of them is with respect to the government policies I just alluded to at the federal level, here at the provincial level and also on unit labour costs. It will come as a shock to some members opposite to hear me say that, but quite frankly, compared to our US competitors, we have fallen behind and that problem needs to be redressed if we are to regain our former position.

Interjections.

The Acting Speaker (Mr Villeneuve): Order, please. Members should not be interjecting, particularly when they are not in their seats. The honourable Minister of Industry, Trade and Technology has the floor. Please continue.

1750

Hon Mr Pilkey: We do in fact need to bring forward new initiatives. We need to build on some of the programs—I must admit, some of them positive—by the previous government, to encourage investment in this province; but we need to add to them. We have, by way of the manufacturing recovery program, allocated \$57 million, going to help 200 companies and tens of thousands of employees maintain their jobs and be in a position when this recession is over to be an active and positive influence in this particular province.

One of the other things we have to do is to get innovative. We have doubled the Innovation Ontario Corp's budget, almost \$22 million, so that we can provide dollars to those companies that need those seed dollars so that they can be involved in the new technologies and the new processes that will allow us to position ourselves in the competitive global market.

We have done all of these things and we have also been very active on an international scene, and I must give the previous government some credit for this. They established and worked with a large number of international offices. We have continued that. We are attempting to enhance that. We are trying to make them even more aggressive so we can open export markets for Ontario companies to maintain and create further jobs and employment in this province of ours.

The resolution also speaks of the need to train and retrain. It sounds like a sort of self-indictment, but I guess it was not done before and so we as the new NDP government need to do it. I can assure members, in fact, we will. The partnerships are being forged, the new programs are

being put together and they will be announced in this House very shortly.

In the 30 seconds remaining, I would like to simply close with this: Business has always been welcome in Ontario; business will continue to be welcome in Ontario under the New Democratic Party government. I hope we will collectively understand the difficulties we all face, and I hope that collectively we will ensure a socially, environmentally and monetarily profitable province for the people and for the business community of the province.

Mr Kwinter: Unfortunately, there have been so many comments made I do not have enough time to respond to all of them, but I do want to respond to a couple.

I look around the House and there is hardly anybody here that I can see—there may be one, but I do not see anybody—who was part of the accord of 1985. The government has to understand that a lot of the policies it is now decrying are policies that were negotiated during that accord and have carried over. It would be a very good idea to take a look at some of those things to see what it is they are doing.

The other thing I would like to comment on is that the Minister of Industry, Trade and Technology was talking about some of the things that were happening. I listened very attentively as a member who has sat here for a number of years. Every time there is any kind of concern, the government members stand up and lay it off somewhere else: "Blame it on the feds. Blame it on someone else. Whatever you do, blame someone else, but not me." Nine months have gone by, the baby is theirs. It is their baby they have to deal with it.

It is not rumour. The member for Norfolk was talking about the rumour. All they have to do is read any business publication, any editorial in any of the major newspapers, any of the columnists, and they all say the same thing: This government is not friendly towards business. It is not a rumour, it is a perception. It is a perception that is there and they had better do something to change it, because unless they do, we are going to be in a situation that is now happening. We have the same federal government in Ontario as we do in British Columbia, but British Columbia's gross domestic product is growing, ours is diminishing.

1801

The House divided on Mr Kwinter's motion, which was negated on the following vote:

Ayes—34

Beer, Bradley, Brown, Callahan, Carr, Chiarelli, Cunningham, Curling, Elston, Grandmaitre, Harnick, Harris, Henderson, Kwinter, Mahoney, Marland, McClelland, McLeod, Miclash, Morin, Murdoch, B., Nixon, Phillips, G., Poirier, Poole, Ramsay, Runciman, Scott, Sola, Sorbara, Sterling, Stockwell, Tilson, Witmer.

Nays—54

Abel, Bisson, Buchanan, Charlton, Christopherson, Cooper, Coppen, Dadamo, Drainville, Duignan, Frankford, Gigantes, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Lessard, Mackenzie,

McKinnon, Malkowski, Mammoliti, Marchese, Martel,
thyssen, Mills, Morrow, Murdock, S., North,
Connor, Owens, Perruzza, Pilkey, Pouliot, Rizzo, Silipo,
herland, Ward, B., Ward, M., Waters, Wessenger,

White, Wildman, Wilson, F., Wilson, G., Winninger, Wise-
man, Wood, Ziemba.

The House adjourned at 1804.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedric

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Vice-Chair, standing committee on Ontario in Confederation
Bradley, James J.	St Catharines	Lib	Minister of Education
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economic Development
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Brampton, Hon Howard	Rainy River	NDP	Attorney General
Burns, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Burns, Charles	Willowdale	PC	
Burns, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Burns, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Burns, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Burns, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Burns, D. James	Etobicoke-Humber	Lib	
Burns, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Burns, Bob	Sarnia	NDP	Chair, standing committee on resources development
Burns, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Burns, Norman	Norfolk	NDP	Chair, standing committee on estimates
Burns, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Burns, Leo	Lanark-Renfrew	PC	Parliamentary assistant to the Chair of the Management Board of Cabinet
Burns, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Burns, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Burns, Monte	Wilson Heights	Lib	
Burns, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Burns, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Burns, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Burns, Hon Bob	Hamilton East	NDP	Minister of Labour
Burns, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Burns, Steven W.	Mississauga West	Lib	Chief whip
Burns, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Burns, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Burns, Remo	Essex South	Lib	Chair, standing committee on general government
Burns, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Burns, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Burns, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Burns, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Burns, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
Burns, Carman	Brampton North	Lib	
Burns, Dalton	Ottawa South	Lib	
Burns, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
Burns, Lyn	Fort William	Lib	
Burns, Frank	Kenora	Lib	
Burns, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Burns, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Burns, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
Burns, Bill	Grey	PC	Vice-Chair, standing committee on administration of justice
Burns, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Burns, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
Burns, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
od, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
mba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Parliamentary Precinct

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 Co-Chair: Noel Duignan
 Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
 Clerk: Smirle Forsyth

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1st Session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 12 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mercredi 12 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 12 June 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

LANDFILL SITE

Mr Sorbara: Today representatives of the group Vaughan Cares are here at Queen's Park to express their concern about the provincial government's refusal to listen to their concerns about the possible expansion of the Keele Valley landfill site, in the community of Maple in the city of Vaughan.

People are concerned about the potential environmental impact on the Oak Ridges moraine, on the headwaters of the Don River and on the surrounding community, which, by the way, is now almost entirely urbanized.

The people of our community feel a profound sense of betrayal by the NDP government, and particularly by the Minister of the Environment, on the question of garbage dumps. During the election campaign the NDP promised that no existing dumps would be expanded and that no new dumps would be created without a full environmental assessment. The Premier himself made that commitment at the edge of the Keele Valley landfill site in Vaughan.

Now the Minister of the Environment says and has said publicly in this House that she is prepared to use her emergency powers to expand Keele Valley, with no environmental review of any kind whatsoever and with no input from the people who live in the area and would be affected by such use of emergency powers.

Moreover, the government introduced legislation to allow the Ottawa region to decide whether or not to accept garbage from other communities, but it will not give the people of York region that power. That is unacceptable to the people of York region. They have taken their fair share of garbage, and when the dump is filled in 1993, it should be closed, full stop.

PURPLE LOOSESTRIFE

Mr Cousens: Many members in this House will have on occasion made use of the Ontario road map. I have a copy here. It is the official road map of Ontario, comprehensive in every way, with legends and cities and towns of the whole province, printed on 50% recycled paper with vegetable-oil-based ink, very environmentally sound indeed.

You can also see the picturesque setting on it. It is a picture on Highway 17 near Wawa and you will see campfires going out and mountains in the background. Again, a lovely scene. It is not just right. If you look at it a little more closely, in this picture instead of just beautiful mountains and roadside flowers, you will notice the purple loosestrife and you will say, "My goodness, that is lovely." But is it as lovely as you think? It is purple loosestrife, one of the most devastating plants stalking Ontario's wetlands, right now being advertised on our road map.

According to the recent report of the standing committee on resources development, purple loosestrife grows so densely that it becomes an aggressive invader to all other vegetation in our wetland habitat. In fact, witnesses in the committee described the impact of this pretty purple flower as disastrous to native vegetation. The committee recommended that the plant be considered a noxious weed and that its elimination should be a top priority of the government.

I submit that we have identified one area where the purple loosestrife should not be displayed and that is certainly on a road map. We should do everything we can to get rid of it.

JUMELAGE DE WHITBY-LONGUEUIL

M. White : En 1967, plusieurs groupes religieux et communautaires de Whitby ont payé en canot jusqu'à Montréal pour l'Expo 67. Ces groupes avaient été accueillis par le maire de Longueuil. Selon sa suggestion, les deux municipalités ont passé des accords et sont devenues officiellement jumelées.

Dès 1969, les célébrations de ce jumelage ont eu lieu annuellement. Ces deux villes se joignent pour apprendre et partager ce qu'elles ont en commun. La ville de Whitby a beaucoup profité de cette expérience. Le drapeau de Whitby, par exemple, provient de ce jumelage. Cette fin de semaine, la ville de Whitby recevra des représentants de Longueuil pour la 23^e célébration de leur jumelage.

Monsieur le Président, j'espère que notre Assemblée en prendra connaissance et qu'elle applaudira l'initiative que ces deux villes ont prise. Je sais qu'en accueillant les représentants de Longueuil, j'aurai le soutien de tous les membres de l'Assemblée.

TAXATION

Mr Kwinter: We are now less than three weeks away from the NDP government's implementation of its tax on auto workers. The Treasurer had promised that he would make an announcement by 10 June on whether or not he would revise or revoke this gas guzzler tax.

On 16 May the Treasurer agreed to set up a working group to look at this tax. Noticeably, this group did not include any representatives from the environment community nor a representative from the Ontario Automobile Dealers Association. However, both these groups have made representation to the Treasurer on their suggested revisions for this tax.

The Treasurer has had wide input on how to make this tax more fair and equitable and still provide the desired environmental incentives for fuel-efficient vehicles. The Treasurer has been given input on how he can do this without devastating the auto industry. The Treasurer knows that all this tax will result in is lost jobs by auto workers. Even Bob White agrees that this tax will hurt the auto industry.

The Treasurer made a commitment that he would make a decision on this unfair tax by 10 June. There are hundreds of jobs in limbo, waiting for the Treasurer's decision. It is now 12 June. When will we hear from him on this very important matter?

1340

EDUCATION FINANCING

Mrs Cunningham: On 31 May the Minister of Education announced the school capital allocation for 1994-95. Every board that was lucky enough to receive notification of provincial grants will be going to the bank to obtain bridge financing as the provincial dollars will not flow for another four years. Otherwise, poor management by the provincial government now forces school boards to borrow and go into debt as well.

Communities across the province need new schools now and therefore the local taxpayer once again will have to absorb the additional financing costs. Many boards were disappointed that they did not receive capital grant approvals. They will have to wait yet another year.

My constituents back in London are beginning to ask where all their tax dollars are going. The answer is simple. We are spending the money on provincial debt interest. The \$9.7-billion deficit will cost Ontario taxpayers an additional \$2.5 million in interest payments a day. At that rate, we could build an elementary school every three days. The total debt, \$51 billion, amounts to \$13 million in interest payments a day or the cost of building a secondary school every other day.

The bottom line is that the more the province spends on debt financing, the less the province will have to spend on programs such as education and health care.

I urge the government to rethink its decision to double the provincial debt to \$77 billion by 1994-95 before it is too late. What a terrible example for our children.

RENT REGULATION

Mr Malkowski: I rise today to congratulate the Minister of Housing on the introduction of the Rent Control Act, 1991. The people in my riding of York East have been waiting a long time for real protection from large and arbitrary rent increases.

I am particularly proud that as part of the minister's efforts to inform the tenants of Ontario about this legislation, he will be visiting my riding this coming Monday, 17 June. This town hall meeting is open to everyone. I encourage the members to encourage their constituents to attend my meeting and also meetings held in their own areas. The people of York East will be meeting at 7:30 at the East York Collegiate Institute auditorium, 650 Cosburn Avenue, and we invite members to join us.

PHILIPPINE INDEPENDENCE DAY

Mr Ruprecht: Today, Canadians of Philippine heritage will be celebrating the 93rd anniversary of a free, independent, democratic Republic of the Philippines.

In recognition of the important contributions that Canadians of Filipino heritage have made to the economic development and, I might add, the cultural enrichment of our province and country, the blue, red and white flag of

the independent Philippines was raised this morning at Toronto city hall. These Philippine colours have become an international symbol of the indomitable spirit of democracy and serve as an inspiration to us all to strengthen the bonds of friendship, respect and affection we have for the Filipino community.

With us in the gallery today to help us celebrate this historic event is the new consul general of the Philippines, Mr Montes, and his staff, the president of the National Congress of Filipino Canadians, Mel Catre, and Ric Falco, the outgoing president of the National Congress of Filipino Canadians.

CHRONIC FATIGUE AND IMMUNE DYSFUNCTION SYNDROME

Mrs Witmer: I would like to call the members' attention to the urgent need for increased effort and funding from the Ministry of Health to help those individuals who suffer from chronic fatigue and immune dysfunction syndrome. This has also been referred to as yuppie flu.

What is it? It is characterized by general fatigue, reduces daily activity levels by at least 50%, and it usually persists for at least six months. There are over 40 symptoms associated with this debilitating disease.

This is a devastating illness which causes a great deal of pain and suffering to its victims. It is estimated that about 10,000 people suffer in this province, and this includes about 1,000 children who are unable to attend school.

I would urge the province to take immediate action to address three specific areas of concern.

The Ministry of Health should provide adequate funding for research.

The Ministry of Health must ensure that health care professionals are provided with more information about this disease. Currently, many individuals are improperly diagnosed for long periods of time.

Finally, all levels of government responsible for financial assistance programs must become better aware of the nature of the disease. Many of the people afflicted are forced to leave their jobs or abandon their studies, and it is important that those government agencies that provide social assistance programs recognize that this is a legitimate and debilitating disease. I would encourage the Ministry of Health to respond to their request for testing, assessment and treatment.

INTERNATIONAL TRADE

Mr Owens: Yesterday, while reading the Globe and Mail Report on Business, I was struck by a comment made by Frank Stronach, a former Liberal candidate and chair of the giant auto parts maker Magna International Inc, with respect to establishing an auto parts manufacturing plant in Mexico.

Mr Stronach said: "Profit means money. Money has no heart, no soul, no conscience, no homeland." This quote, I believe, provides a kind of insight and philosophy that the government, while it is trying to help people, is fighting the other side. I think with attitudes and philosophy such

are expressed in this newspaper, we are not going to move the social agenda any further ahead.

In Scarborough, I see people on a daily basis who are losing their jobs, who have to deplete their life savings and are being forced to line up for welfare. Our government is clearly trying to respond to these problems and the needs of our citizens, including those who are unable to find work. I am clearly proud of the accomplishments and steps this government has taken to try and alleviate the kinds of difficulties that are being caused as a result of the current free trade agreement and also further to the potential problems that we will have with the Canada-Mexico free trade agreement.

SENATOR DAVID CROLL

Mr Nixon: On a point of order, Mr Speaker: I would like for the consent of the House to make a few remarks to mark the passing of Senator David Croll.

Agreed to.

Mr Nixon: There may not be many members of this House at present who have met the late Senator Croll personally, but he was a highly valued member of the community and for many years a member of this House and, I believe, the first Minister of Welfare, as it was then called, assuming office in 1934 with the election of the Hepburn government.

He came from Windsor and was elected as a young man with a commitment to progressive policies, which, like some of us more aging politicians, he was able to maintain throughout his long life. He died yesterday at the age of 92, as full of interest in public affairs and concern and support for the progressive aspects of public policy as ever was.

He served faithfully in the Hepburn government until he had a substantial disagreement with the then first minister over labour policy. It involved what then was called a sit-down strike, I believe, involving General Motors in Shawna. He left the ministry with the famous statement attributed to him that he would sooner walk with the workers than ride with General Motors, a sentiment that is echoed by everyone in this House, I am sure, with a few exceptions at the present time.

He always maintained a high degree of independence and left direct cabinet service later to sign up with the Canadian army in the Second World War. He went in as an enlisted person who was soon recognized for his ability and, I understand, received a commission in the field and served valiantly and, of course, loyally.

Upon his return, he entered federal politics after a period of time and had a remarkable career there, serving in many capacities, but perhaps the one that most of us remember is his membership in the Senate of Canada. Rather than taking that as some sort of comfortable sinecure much desired by many people in public life, he became extremely active indeed and undertook the review and leadership of a commission involving poverty, resulting in a famous report that is still a byword in reviews in these matters.

1350

As a matter of fact, it would be interesting for members to note that I received a personal letter from Senator Croll, and I answered just last night as I was doing my never-ending work, in which he was castigating me as interim leader for allowing the Liberal Party to strike off a large number of ex officio members of our party who normally participate in the selection of a leader. On reading his letter, I realized that a serious mistake had been made that he had brought to my attention, but I thought it was characteristic that even at the age of 92, he was fully aware of all of these matters and did not hesitate in the least to write his interim leader and tear a strip of his skin off.

I would also draw to the members' attention that the library has a recently published book on Senator Croll's life, and I would certainly recommend it to anyone interested in the work of this Legislature, which is recounted there in his experiences and his career going over these many years, a career of public service which I would say is truly exemplary. There was always concern for his constituents. There was always a substantial depth of support for progressive aspects of public policy that everybody in this House would find commendable.

His career is clearly an example of public service and a recognition of the true purpose of the democratic process to all of us. He has lived a full life, so we cannot be sad in that regard, but certainly we can be thankful for the example of service that he has left.

Mr Harnick: I am pleased to be able to rise today to recount my experience in knowing Senator David Croll. He was a close personal friend of my family and I have known Senator Croll for many years. He certainly did not encourage me personally to go into politics. We chatted about political life, and he certainly chastised the things that went on in this Legislature, and the things that he had opinions on were strong and valid.

I was with Senator Croll but three weeks ago. I was in synagogue and I was driving him home afterwards, and I can say that in terms of the Jewish community, Senator Croll was undoubtedly a trailblazer. He did things that no one in the Jewish community had ever been able to achieve in public life before. He was a trailblazer and he was a man who certainly was revered by the community in which he lived. It gives me pleasure to be able to rise and say a few words about Senator Croll, who I did not know in any real political sense but I knew in a personal way. His passing is a loss. As the Leader of the Opposition said, his life was a full one and it was a life of great accomplishment on behalf of the Canadian people.

Hon Mr Cooke: I join with other members of the Legislature and on behalf of the government to express our condolences to the Croll family. I was actually in Windsor last night and this morning woke up to the news on the local CBC radio.

Of course, the death of Senator Croll is met with a great deal of sadness across the province but particularly in Windsor, because of the contribution this man has made to our community and the very progressive stands that he did take over the years, as the Leader of the Opposition has

said, on poverty and labour issues. In fact, with people like Senator Croll and Senator Martin and other people from our community, one can understand why it took so long for the New Democratic Party to make the inroads that it made in Windsor eventually when the Liberal Party forgot its true roots.

I really do want to pay tribute on behalf of the government to this rather remarkable person who served, as the Leader of the Opposition has said, at the municipal level, the provincial level, in the federal Parliament and in the Senate. His was truly a remarkable life, and we really do join in celebration of this contribution to public life in Ontario and in Canada.

The Speaker: I wish to thank the members for their contributions. Their kind and thoughtful comments will be forwarded to the family of the late Senator Croll.

STATEMENTS BY THE MINISTRY

LAND USE PLANNING

Hon Mr Cooke: Many people in this province believe that the public interest is not always served when land use planning and development decisions are made in their communities. Concerns about the relationship between private interests and those who serve the public interest persist. We on this side of the House have long held that a public inquiry into the land development process is an essential step in restoring public confidence in land use planning and, ultimately, in governments.

I am pleased to inform the House that this government is taking that step today. I am announcing on behalf of the government the establishment of a three-person commission of inquiry under the Public Inquiries Act. The commission will examine all aspects of the system under which land use is planned and regulated in this province.

I have appointed former Toronto mayor John Sewell as chair of the commission. The two other commissioners are Toby Vigod, executive director of the Canadian Environmental Law Association, and George Penfold, an associate professor at the university school of rural planning and development at the University of Guelph. They are all up in the gallery.

The commission's mandate is to examine the relationship between public and private interests in land use development and to recommend ways that will entrench good planning into the system. We have asked the commissioners to look at the goals of the planning system and to recommend ways to improve the integrity, efficiency, openness and accountability of the land use decision-making process.

The thousands of women and men who work on behalf of the public on municipal councils across the province deserve to work in a system that reinforces the integrity they bring to the task. Good planning is essential to a high quality of life in our communities. Good planning is environmentally sound and responsive to the public's views, and good planning is efficient planning. The cumbersome and often adversarial development approvals process which drains public and private resources must be improved.

The commissioners will consider the role of the provincial and municipal policy in achieving fair and consistent land use practices. They will consider the roles and relationships elected officials, administrators, developers, interest groups, the Ontario Municipal Board and the public should have in the land use planning system. They will look at how the structure of the development industry affects the ability of the provincial and local governments to protect the public interest.

This government has also asked the commission to recommend how the planning system can support provincial priorities in environmental and food land protection. The commissioners will examine whether the current rules controlling development help the province reach its planning goals. They will also look at the impact municipal financing and large infrastructure projects have on local planning and the development decisions.

We must also stress what the commissioners will not do. They cannot and will not investigate specific accusations of wrongdoing or corruption. That is the job of the police and the courts, not this commission.

The commission will look to the future, looking at what legislative and policy changes are needed to improve the way land use decisions are made. The commission will operate in an open and informal way, consulting the public and seeking consensus among parties who have often disagreed in the past. I have asked the commission to submit an interim report one year from now and a final report in two years.

While this commission does its work, development and redevelopment will continue to be vital to the prosperity of this province. Ontario's population will continue to grow, as will the need for homes, places of work and places of recreation. The province and municipal governments will continue to make planning decisions. For example, more than 100 municipal official plans will be revised or developed over the next two years.

1400

In our announcement in Grey county earlier this session, the government demonstrated its commitment to ensuring that land use decisions are guided by environmentally sound planning principles. In York region, the Ministry of Municipal Affairs is working with the region to ensure that future expansion of urban boundaries is guided by a comprehensive regional official plan.

In the future, this ministry and my cabinet colleagues will continue to promote planning in the public interest, whether it be related to the Oak Ridges moraine, Harbourfront, the Toronto port lands, wetlands policy, the motel strip in Etobicoke or area-wide strategic plans.

I said this inquiry was a necessary step in restoring public confidence in planning and development practices in Ontario. Allow me to remind the House of two other steps this government has already taken in that direction.

Earlier this year, I appointed a committee to review the Municipal Conflict of Interest Act, and I hope to bring in improved legislation this fall. We also tightened election finance rules covering contributions to municipal candidates and improved their enforcement provisions.

For too long provincial governments have been unwilling to show leadership in protecting the public interest in planning decisions. I want members to know this government takes its planning responsibilities seriously. I believe its announcement today demonstrates that.

ENERGY CONSERVATION

Hon Ms Carter: I would like to take this opportunity to tell the House about a package of new and enhanced energy-efficiency initiatives which the Ministry of Energy will launch this week.

As honourable members are aware, the government has set a new energy direction for Ontario. It is one that emphasizes the need to conserve energy and use it more efficiently. Our goals are to protect the environment, to reduce energy costs for the people of Ontario and to reduce the province's reliance on nuclear power. Since last fall, the government has moved decisively to give effect to this new energy direction.

We called upon Ontario Hydro to intensify and accelerate its efforts in conservation and in controlling demand for energy. The utility's spending on conservation will increase next week to approximately \$232 million and over the course of this decade will total more than \$3 billion.

With the introduction of amendments to the Power Corporation Act, we are now also taking steps to enable Ontario Hydro and the government to work together more effectively to achieve the province's energy-efficiency goals.

We are continuing to expand regulations under the Energy Efficiency Act, which sets minimum energy-efficiency performance standards for new appliances and energy-using products sold in Ontario. By bringing more products under the regulations, we will be making this one of the most effective pieces of legislation of its kind.

We are putting our own house in order. Ontario Hydro will carry out energy audits on nearly 8,000 government buildings and facilities across the province. These audits will provide the basis for an extensive program of energy-efficiency improvements that will greatly reduce energy consumption in government buildings.

I might point out that in the short time since we announced this program, Hydro has audited 780 government buildings. The Ministry of Government Services and our ministry have already moved on to the next step, which is to draw up a plan to carry out the improvements that the audits recommend.

These initiatives are just the beginning. The additional allocation of \$10 million provided to our ministry in the April budget allows us to increase our energy-efficiency activities by almost 75% in the current fiscal year. As a result, the ministry is expanding many of our current programs as well as adding new ones.

It is my pleasure to outline some of our plans in the House today. Our programs constitute an unprecedented move towards an energy-efficient Ontario. They also constitute an action plan for placing immediate resources into energy conservation and efficiency and for producing tangible results.

Our aim is a basic change of attitude towards energy use, a change that enables Ontarians to reap both the

environmental and economic benefits of energy efficiency. To that end, we are stepping up activities to encourage and promote energy efficiency across the board: in our homes, schools, offices, hospitals, factories, cars, wherever energy is used.

We are taking a number of steps to help Ontario industries become more energy-efficient, reduce their energy costs, improve energy productivity and thus become more competitive. We are expanding the scope of our energy audits for large industrial energy users. We are providing new grants to help industry with the purchase and installation of non-electrical, energy-efficient equipment in industrial plants. We will hold regular competitions that will accelerate market acceptance of new energy-efficient technologies manufactured by Ontario companies.

Our energy-efficient communities program will encourage communities themselves to identify what needs to be done to help people save energy in their homes and businesses. A pilot program will be established this year to identify these energy savings.

We are also giving greater attention to education. Our aim is to promote an energy conservation and efficiency ethic among students and teachers. We want to help them understand the impact of energy production and use on the environment and the economy.

For example, we will develop new energy curricula for students and teachers and we will help school boards to identify possible savings in energy in their operations. We will also work with education authorities to enhance school programs at such places as the Ontario Science Centre, the Kortright Centre for Conservation and Science North.

In transportation, the new initiatives include joint endeavours with the Ministry of Transportation. We will establish a ride-sharing program and help both the public and private sectors develop techniques for energy-efficient management of fleets.

These energy initiatives will help save the environment and help Ontarians cut energy costs. They should kick-start a whole range of business and manufacturing opportunities in the energy field.

I would like to point out that we developed these various programs in consultation with the ministry's client groups and we will implement them in partnership with those groups. Our program partnerships have been designed to encourage investment by others as well, thereby increasing the effectiveness of every dollar spent.

I need hardly remind the House that the government's financial resources are strained to the very limit as we fight the effects of the current recession. We cannot buy energy conservation even if we wanted to. The government's spending on these new initiatives is seed money, designed to work alongside spending on conservation and energy efficiency by municipalities, business and individuals.

Our spending on energy efficiency constitutes an investment of public money that will pay dividends to Ontarians for generations to come. Sharing the responsibility for funding allows the government to multiply the returns. It stimulates further spending and economic activity in a time of recession. It also drives home the point that we

all share responsibility for reducing energy consumption and protecting the environment.

The implications of these new and expanded programs are far-reaching, but I would remind the House that this is one more step in our program for turning Ontario in a new energy direction. We will continue to work with the people of Ontario to develop policies and strategies that will help to ensure a more energy-efficient and a more energy-secure future.

1410

ADULT LITERACY

Hon Mrs Boyd: I am pleased to inform members of \$31.8 million in funding for two adult literacy programs. This funding is part of my ministry's ongoing commitment to the Ontario Basic Skills and the Ontario Basic Skills in the Workplace programs throughout the province. Because learning is a lifelong endeavour, education and training must become an integral part of the work process. Education and training must be seen as fundamental to growth.

Of the total funding, \$28.09 million will be allocated to Ontario Basic Skills and Formation de base de l'Ontario programs in 23 community colleges in 100 locations in the province. The Ontario Basic Skills program provides a broad range of training in reading, writing, mathematics and science to grade 12 equivalency as well as computer literacy, life skills and work adjustment skills.

Grants totalling \$3.7 million will fund 18 Ontario Basic Skills in the Workplace programs. Funding will assist labour organizations, employers, employer associations and non-profit delivery agents to deliver training at over 250 work sites. The Ontario Basic Skills in the Workplace program provides funding for literacy, language training, basic numeracy and science, and other basic skills delivered in the workplace.

Literacy and numeracy skills are essential to personal and professional growth. Investment in people must be understood to be as important as investment in capital or in research and development.

RESPONSES

LAND USE PLANNING

Mr Sorbara: At first blush, the statement by the Minister of Municipal Affairs appears to be a face-saving device. Members will recall that in the last Parliament the member for York South, now the Premier, who does not come here much any more, regularly made rather wild allegations concerning the business of land development, particularly in the area of York region, and often called for a public inquiry. Now, having formed a government, his Minister of Municipal Affairs is creating an advisory committee to help him revise the Planning Act.

It is probably not a bad idea that the government continue along the business of making revisions to the Planning Act. I would have just two things to say about it.

First, under his predecessor, the Honourable John Sweeney, the former member for Kitchener-Wilmot, there was a great deal of work done towards the revision of the way in which we plan and develop our communities. Much of that work is available in his ministry, and I would

encourage him to make that work available to these commissioners who will be offering advice to the minister some two years down the road.

Regrettably, if I understand the minister's statement correctly, what he is looking to do is to centralize planning in the hands of his own ministry and his own cabinet. What we were working on is to try and give more authority to local communities to develop the kind of livable communities that people in this province want and expect.

The other thing to say about this statement at this time is simply that a commission of inquiry or an advisory board into the business of planning and developing our communities is going to do absolutely nothing for the real problems which we face in this province, and those are that no houses are being built, no offices are being built, no factories are being built.

In fact, factories are being closed down, houses are not being sold, office space is not being rented. Thousands and thousands of construction workers in this province are looking forward to the day when this government take one or two steps, at least, to get us back on the road to growth right around the province.

ENERGY CONSERVATION

Mr Elston: I am supposed to reply to the statement by the Minister of Energy. I can tell members this is one of the biggest wastes of energy that I think I could ever find or contemplate anyplace, because this is just a rehash of several other statements of principle these people have tried to sell as a new direction.

A good number of these areas we were already working on as a government ourselves. We can understand that sometimes the Minister of Energy, the member for Peterborough, must get her name in the paper, particularly if the Liberal task force on the budget is visiting her home town. Perhaps that is why she decided to go through this dialogue in repetition of several areas of activity.

I would like to know why it was so important to make a statement today that is devoid of any details about what is being spent on any of these programs. Why did she not tell us where the extra \$10 million in her budget was going to be allocated and how those programs were going to be formulated, rather than again providing a diary of her items to work on? This is a ghastly interruption of the business of the House to serve the member for Peterborough and her need to generate some kind of press. I wish she had saved our time and her energy and just got on with her work.

ADULT LITERACY

Mrs McLeod: I would like to respond briefly to the statement by the Minister of Education. I would understand that this announcement is an indication of an increase in the total funding for literacy programs in the province, although the minister has not really indicated that. If it is an increase, it is certainly welcome, because I think we would all concur that literacy continues to be extremely important for people to be able to take part in the mainstream of community life in this province, and it is ever more important as the levels of skills that are

needed for finding a place in the workforce get higher and higher.

I guess I would wonder whether the training that is going to take place at 250 work sites in the province is going to be geared to the kind of skills that are needed for people to take part in what will be a very restructured business and industry setting in Ontario, or whether the funds have been geared to those communities in particular where recession has meant a lot of job dislocation and where retraining is so desperately needed.

I would also ask the minister—the question was asked by our colleague the member for Cornwall on 13 May about the cancellation of a pilot project—whether this means this funding will now be renewed and that pilot project can be refunded?

LAND USE PLANNING

Mr B. Murdoch: I would like to respond to the statement from the Minister for Municipal Affairs. Most of the things he is saying in this statement are what we all agree with, that we need good planning, but I have a problem with why we need another commission. If the ministry were doing its own job it would not need this; all the ministries would not. They would not need a commission like this if they were doing their job right.

We are going to spend more money on another commission. I wonder how many people we are going to lay off in this ministry that we will not need now it is going to have somebody else doing its jobs for it.

He also mentions Grey in here, and I would like to tell you about that, but I know if I do that the members will throw me out, so I will quit right now.

Mr Cousens: If this were going to be the kind of commission that the Premier promised, then we would have something to be pleased with, but we had from 1 October till now, and what we have received today is far less than what the Premier indicated we would be receiving.

I want to just comment as well that when the government has this review under way, what changes will be allowed to the Planning Act? Certainly, we have a need for more serviceable land in the province, and I can see the government hiding behind this commission while we are looking for more serviceable land. It will use this as an excuse not to do anything with it.

I ask the question: Were they weasel words when the Premier said on 8 September that there would be an investigation into land transactions and he would look into the relationship among developers, politicians and government officials? Or are they weasel words today when he says the commissioners cannot and will not investigate specific accusations of wrongdoing or corruption? Where are the weasels?

I think what we are seeing today is that the government is trying to hide behind something that it is saying is criminal, but there are other things that are on the edge of the law where people's confidence has been shattered and broken. We are talking about big, backroom brokers of power who are involved in land transactions. We are seeing large developers, and there is a distrust in the system and this government is not, through this investigation, attacking the

kernel of the problem. What we are seeing is a smokescreen. We are seeing the government standing back, saying, "Well, we're going to do something." It started off with the right words in the beginning, but the implementation and the process it is following fail totally from the plan the Premier asked for when he asked for an inquiry into situations in York region. This does not begin to accomplish it.

ENERGY CONSERVATION

Mr Runciman: There are a lot of scary things happening in this province under the socialist government. Perhaps one of the scariest things is having a group of ideologues take control of Ontario Hydro. We have anti-nukes. We have people who are in effect Hydro-haters, if you will, who are taking control. We now have amendments to the Power Corporation Act that are going to, in effect, politicize Ontario Hydro.

The government's real effort in terms of conservation in this province is to kill off the industrial sector. That is what is happening. We are seeing a drop in demand for electricity in this province because of what is happening in the manufacturing sector of this province because of the government's policies.

When we look at nuclear energy, when we look at what is happening with respect to acid rain in this world really, in the ozone layer, this government—with its minister and cabinet ministers and the people they are stacking the Ontario Hydro board of directors with—is not really addressing that problem. They are operating on ideology.

We want to take a look at nuclear energy. I served on the select committee on energy and I know its benefits; I know what it means to this province. I know what it means in terms of attracting new investment and creating jobs in this province.

It is a scary prospect, and we are going to be watching very closely and fighting every move with respect to dam-aging, in a long-term way, Hydro's production in this province.

1420

ADULT LITERACY

Mrs Cunningham: I would like to respond to the statement by the Minister of Education today and say we always welcome adult literacy programs, whether they be in the workplace, which of course I think is the most efficient way of doing it; whether they be in the colleges; or whether they be in school boards. Basically they should be in communities. At this time we do not have enough information with regard to the announcement, except to say that we hope the use of the tutors as volunteers will also be seriously considered and utilized by the Minister of Education, and that she give further consideration to the adult basic education classes in school boards and try, in fact, to use those to her best advantage as Minister of Education. The workplace we support, and we congratulate her for her decision.

ORAL QUESTIONS

CHILD CARE

Mr Nixon: To the Minister of Community and Social Services: Her statement to the gathering of day care workers this morning made it clear once again that she intends in no way to assist commercial day care with the special provisions of providing pay equity, in spite of the fact that the salaries paid in commercial day care are generally lower than those in non-profit, even now.

Since the minister must be aware that a third of the day care places in the province are provided on a commercial basis, although very rarely on a profit basis, would she not be aware that her decision is essentially going to destroy that community service? If she agrees that is at least partly going to happen, what is she going to do to replace those much-needed community services without a substantial increase in her budget?

Hon Ms Akande: I must correct some of the assumptions or presumptions that have been made by the member in the question. First of all, I have not made any conclusion about the discussion that is going on. We have re-emphasized, as we have many times before, that this government, like the previous one, does have a preference for non-profit child care. In terms of its direction, that is certainly what our intention will be. However, I have also emphasized, as I did this morning, that consultations, discussions with various groups, are going on. We have been designing a paper that goes out for consultation, which will speak to the revision of the child care system.

What are we planning to do in terms of our non-profits? We are looking at a non-profit child care system throughout Ontario, and the consultation paper is being designed around that.

Mr Nixon: The minister has responded somewhat more positively than she has in the past in this regard, and yet she has made it clear that it is the intention of the government in most of the facilities she supports through her ministry not to undertake the support of anything that might be considered commercial in any way.

We have received copies of letters that have been sent to her, and some directly to us, that would indicate day care facilities in Sharon, Oshawa, Brampton, Hamilton, Weston, and in other communities are going to be closing and have closed because of the minister's policy. While she may have tried to allay fears through her comments, which I was very glad to hear, would she not understand that the people who are providing these facilities on a commercial basis are planning to close, and that we are going to lose between a quarter and a third of these facilities unless she is prepared to assist them in meeting the requirements of the pay equity laws as those regulations come into play for these particular facilities?

Hon Ms Akande: Certainly I do want to stress that there has been no change in the funding, that in fact this government continues to fund the child care sector as the previous government did. No new for-profit child care centres have been given any direct operating grants; only those that were in place as of December 1987 got 50% of the grants, and that was as the previous government designed it.

The subsidies still go to the non-profit sector as well as to the profit sector.

The concern about making sure that there is child care in place for parents and good child care for children continues to be there, and so our area offices continue to monitor the system and the changes that may occur in the system and to offer support where in fact that support may be received and taken up and used to maintain the system.

Mr Nixon: The minister in her statement on long-term care yesterday indicated that the government was only going to maintain the previous levels of care for commercial nursing home facilities across the province and not allow those to undertake any expansion. This is similar to her approach to day care, and it reflects what the New Democratic Party has said over the years: that it would move to eliminate the commercial aspects of these services.

Whoever might feel that is an appropriate goal, and I am not one of them, would the minister not realize the practical aspects, that she does not have the clout with the Treasurer, who is absent right now, and in fact even if she did, the Treasurer does not have the resources to replace those commercial facilities with those non-profit facilities that would be operated either directly or indirectly by the ministry or this minister? But what is she going to do to see that these services are maintained as a result of these policies, which are not in the best interests of providing the services?

Hon Ms Akande: I think that the member presumed too much. This government has no intention of putting any facility out of business. Our concern is simply focused on the question of the direction of government dollars towards a non-profit system. It is not our intention to directly put any system at all out of business.

The other thing is that our concern for the child care system is once again, and I will repeat, to ensure that there is child care in place and that parents have a system they can feel certain does not put their children at risk.

One thing we have to be certain of, in conclusion, is that we must maintain what is in the system, both for seniors and for child care, while we change it.

Mr Nixon: In spite of the minister's protestations this afternoon, these facilities are closing, and she must be aware of that.

1430

TAXATION

Mr Nixon: I would like to direct a second question to the Minister of Industry, Trade and Technology. In an interview printed in the Financial Post, the minister indicated the government might be considering harmonizing the GST with the provincial sales tax, and he is quoted as saying: "Everything is on the table. I haven't ruled out anything."

Since the Treasurer and the Premier have responded following the minister's comments and since they are both absent, perhaps the minister might clarify that situation for the benefit of the taxpayers of the province, who were under the impression that the NDP was going to stop the goods and services tax somehow.

Hon Mr Pilkey: Quite frankly, I welcome the question. The issue of taxation was referred to, I believe, in a statement by the Treasurer all the way back into March when he sent it to the Fair Tax Commission. But to add clarity specifically, in addition to that, on the issue of cross-border shopping, as the Leader of the Opposition well knows, there are any number of organizations or individuals who have expressed concerns and ideas on how this very difficult circumstance might be resolved, and any of the suggestions offered had to do with tax fields. My indication to the media simply was that we have received all of those ideas, we would consider all of those ideas and we would finalize our views on that subsequent to the meetings we are going to be having with the federal government and the mayors of border communities.

While we have invited suggestions and will consider them, it is the position of the government that it is not its primary goal or wish to harmonize GST with the PST or to reduce provincial sales tax. It is in that context that the comment was offered, and I hope that brings some added clarity to the circumstance of the apparently conflicting views on the situation.

Mr Nixon: I do not normally support the cabinet ministers opposite, but I did feel that Otto Jelinek did not treat the Ontario Minister of Revenue in a very fair and equitable way when he said, "You either harmonize or we will not co-operate with Ontario at the borders in assisting in cross-border shopping."

Mr Runciman: She was a sweetheart too.

Mr Nixon: Yes. As somebody said, "He's such a brute," and I would not say that our minister is totally an angel. She no doubt, according to reports, put up quite a fight. But it really amounts to blackmail in this regard.

Since the minister has drawn back from the prospect of harmonizing by way of going in with the GST, then his preference to harmonizing must be to expand the base of the provincial sales tax to include such things as haircuts and dry cleaning. Since he has said, "I have not taken anything off the table," would he care to comment on his role in tax policy in this regard?

Hon Mr Pilkey: Only to say that I think it is only fair and reasonable, when you seek suggestions and offers of assistance from people, that you at least consider what they offer. That was the context in which I made my comment. I must be very clear, though. At this point in time, it is the position of this government not to harmonize those taxes.

Mr Nixon: It just recalls that long-forgotten Agenda for People. The NDP was elected on the basis of the following statement: Ontario should lead a tax revolt, a revolt against the Mulroney GST. The taxpayers are remembering that, but obviously this government does not.

Would the minister care to comment on his approach and that of the Minister of Revenue, his seatmate, who are going to Ottawa, cap in hand, presumably trying to get some of that extra money that is accruing to the federal treasury and in that regard being prepared not only to forget their rejection of the GST, but apparently to participate

in it in some way that is rather vague and strange now, but apparently a part of emerging government policy?

Hon Mr Pilkey: The member will forgive me. I was interrupted when his question was coming forward and I am not sure I understood the total context of it. But I understood the concern being raised, that the federal government has collected some \$400 million in excess of its projections with respect to the goods and services tax, although I believe Mr Mazankowski indicated that he was not prepared to turn any of that back into the economy, that he wanted to wait until the balance of the year to see whether this was not just some temporary aberration and to see whether this would not even out.

I would join the Leader of the Opposition in encouraging the federal government to return some of those over-collected taxes back to the people of Ontario, and in fact the people of Canada, to help buoy up the economy and to encourage additional spending.

VISITOR

Mr Martin: On a point of order, Mr Speaker: I rise to ask this House this afternoon to reflect for a moment on how fortunate we are in this country to be able to speak out, organize and run for public life without threat to our person or family.

I met this morning with Jorge Morales, past secretary-general of ANDES, the teachers' union of El Salvador. He is with us in the members' gallery this afternoon. I hold him and his colleagues up to you today as people of great courage and commitment.

Mrs Marland: I would think by now you would know what a point of order is.

Mr Scott: Does this guy understand we are in question period?

The Speaker: One moment. First, I beg the indulgence of the House for a moment. You will note two things: first, that it is not possible for the Speaker to know what particular item is being raised as a point of order until the Speaker hears it; and second, noting that it would not likely be a point of order, I stopped the clock. We will add 30 seconds back on to the clock and go back to our regular business. I did keep an eye on how much time was being utilized, and the 30 seconds recoups the time.

Mr Elston: Just on that point, Mr Speaker: It is quite clear that the rules state that we are not to use points of order to introduce guests. This is a very important guest and we appreciate his presence. It should have been done, however, at a time immediately prior. That having been taken into consideration by all the members here, it should be clear that you are not supposed to do that and it should not happen again. There should be some request made, I think, to deal with people who decide they are going to breach the standing orders. Perhaps you would look into that, Mr Speaker.

Interjections.

The Speaker: Order. This is a chamber without air-conditioning, and hence many members are causing the temperature to rise. If members would relax for a moment, I can address the point of order raised by the member for

Bruce. He indeed raises a valid point of order, and I would draw to the attention of all members that we do have a certain procedure with respect to introducing special guests and visitors. I would really appreciate it if all members could maintain that precedent.

Interjections.

The Speaker: I am sure that all of this discussion is quite impressive to somebody.

An hon member: Not you, right?

The Speaker: Not me, and not likely our visitors. May we proceed? I think we are ready for a leadoff question from the third party.

1440

VIOLENCE AGAINST WOMEN

Mr Carr: My question is to the Minister of Correctional Services, who is also the Solicitor General. He will have read with horror one of the daily papers today, and I will read him some of the story:

"Two women have been viciously beaten by men previously jailed for assaulting them, Metro police say. "A man on an unescorted temporary pass while serving a six-month sentence for assaulting a woman in April beat her again...police say."

In the throne speech of November, on page 9, the minister's government said, "We will deal resolutely with violence against women and children." My question is very simple. What is the minister going to do to eliminate incidents like this in Ontario?

Hon Mr Farnan: I was just informed a little while ago that the parolee who was referred to in the article was not in fact granted parole and was in the Guelph Correctional Centre at the time of the beating and is no longer a suspect. The police continue to investigate.

Mr Carr: The problem we have is, of course, they talked about two incidents. Those are the circumstances we have. We are talking about two incidents.

In the throne speech, this government said it would deal with violence resolutely. The fact is, regardless of who did it, there has been violence committed against women, disgusting violence is being committed, and as the Solicitor General, he is responsible for that.

During the speech by the acting minister responsible for women's issues, she said: "Clearly many women are not safe in our own homes or on the streets of the communities. The situation is urgent and demands constant attention by all public policymakers."

When is the government going to bring in some legislation that is going to end this mindless, senseless violence against women in Ontario?

Hon Mr Farnan: There is so much in the member's statement, but let me first say that if he is talking about the temporary absence program, the first fundamental of a temporary absence program is public safety. At the same time, we do attempt to have programs that are designed to rehabilitate.

Let me educate the critic for a moment. This program was introduced, by the way, by the Conservatives way back under Larry Grossman. It has been a program that

has been defended by Frank Drea, Gordon Walker and Larry Grossman.

Before an individual is released, certainly it has to be adjudged by psychologists, psychiatrists, social workers and correctional case managers. For 17 years, Conservatives have worked with this program. For five years, Liberals have worked with this program. For eight months, New Democrats have worked with the program.

For the supplementary, I will reserve some of the additional information about this particular program for the member.

Mr Carr: On 10 April my colleague talked about an issue where a sexual assault individual who had raped a 12-year-old was put back out on the street. On 10 April we raised that issue. To date nothing is being done.

The violence being perpetrated against women, regardless of who does it, has got to stop in this province. I asked the Solicitor General earlier—and I do not want to hear what has gone on in the past—what they are doing, according to this throne speech, to resolutely deal with violence against women and children in the province. What are they going to do, what concrete steps are they going to bring in in the province so this does not happen, so the scum perpetrating crimes like this do not continue on in Ontario?

Hon Mr Farnan: The member really should decide who he wants to address his question to, but I will answer his question.

In terms of violence against women, I want to take this opportunity—

Interjections.

The Speaker: Order.

Hon Mr Farnan: I wish to take this opportunity to express, I believe, on behalf of myself, and probably all members of this House, the extraordinary leadership that has been demonstrated by the minister responsible for women's issues in Ontario.

There has been an extraordinary increase in funding for crisis shelters, for victims' services. The expansion in funding in this particular year I would say goes beyond anything that has been experienced under either of the two previous administrations. Women in Ontario are certainly much more of a priority with New Democrats than they have ever been under Liberals or Conservatives.

Mr Jackson: It was these socialists who blocked the victims' bill of rights from going to the standing committee on administration of justice. That is their commitment.

Mr Mills: That's a lie.

The Speaker: The member for Durham East will take his seat, please.

Interjections.

The Speaker: Order. No, the Speaker is not making comments on anyone's tie. The member for Durham East.

Mr Mills: Mr Speaker, I am extremely upset, when I went to the standing committee on administration of justice and they walked out.

Interjections.

The Speaker: Order. The member for Durham East, the normal procedure in the chamber—

Interjection.

The Speaker: Order. The normal procedure in the chamber is to simply say, "I withdraw the remark." I have not heard that yet.

Mr Mills: I withdraw.

CHILD CARE

Mr Jackson: My question is to the Minister of Community and Social Services. There were about 500 child care workers and parents present today to bring to her attention concerns they have about her government's discriminatory policies against day care centres in this province, approximately 40% of all the day care provided in this province.

The minister has indicated her preference and her government's preference, but she said to a question in the standing committee on estimates on 12 February, recorded in Hansard, that her government was committed to establishing a fund to assist private centres to convert to private, non-profit centres. That is a matter of record. When I asked the Treasurer on 18 March about the existence of this fund, he was not only confused, he then clarified that it did not exist. The only financial commitment she had made was for the bump funding for pay equity for the non-profit private centres in this province. For the benefit of the House and those present here, which minister of her government was telling the truth about the existence of this fund?

Hon Ms Akande: I might report to this House that the ministers of this government tell the truth. We have, of course, always used the program development fund as a conversion fund. Those funds have been used by approximately 32 for-profit facilities to convert to non-profit facilities in the past, and those funds will continue to be used that way for those for-profit child care facilities that request to convert to non-profit.

Mr Jackson: In fact, no dollars actually transferred to these centres as a result of their conversion. What has happened is that she is simply lucky if she can even get someone to answer the phone in her ministry with respect to these conversions. As the member for Brant-Haldimand introduced to the House—I have the same list—dozens upon dozens of centres are closing and they are closing because of her government's policies of expropriation without any form of compensation.

It has been stated by her ministry staff that her government is planning to take the subsidized spaces in private, for-profit centres, remove them and hand them over to the non-profit sector. This will cause the bankruptcies of at least 75 to 100 centres immediately. I would like to ask the minister this question: Will the minister confirm to this House that she is planning to proceed with that plan at this time?

Hon Ms Akande: There is no decision by the government in place at this time to change the subsidies from for-profit to non-profit centres or to eliminate the subsidies from the for-profit. No direction of that type has been

given by this government. No direction has been given to my ministry staff to make such a statement.

1450

Mr Jackson: It seems that we are getting one answer from the ministry, one answer from the Treasurer and entirely different answers from the minister responsible. We have documented calls of civil service staff who have indicated the communities in which these centres will be transferred, and the specific centres have been mentioned.

Perhaps they are not telling the minister what is going on, but when she asserts that her government has no intentions of putting these centres out of business—I would have her know that Friday in the city of Kitchener, Angels Day Care Centre closed. They applied a month ago for support and assistance in the conversion and were flatly turned down by her ministry. Staff have been laid off; no seniority is being respected. The fact is that the minister refused to meet with these private operators and the workers they represent.

I have on my table 16,000 petitions, from every riding in this province, asking her government to cancel its discriminatory policies, stop discriminating against the 8,000 workers in this province, stop discriminating against the 85% of operators of day care centres who are women, who are losing their businesses, their life investment and in many cases putting their own personal home security at risk because of this government's policy. When will the minister reverse her policy? When will she sit down and listen to these operators to realize the devastation her policies are having?

Hon Ms Akande: Those are a number of questions and I will try to answer them all. One very important ideal is that when I want the correct information, I always go to the source. I cannot emphasize this much more directly than I am. What I have actually said is that this government has not given the bureaucrats any direction to change the subsidy from the for-profit sector to the non-profit.

In relation to the people at the child care centre to which the member refers, they refused to discuss unless we were willing to meet a certain dollar factor, which would indeed be considered unreasonable. As a matter of fact we monitored them, offered our services and provided appropriate care for the children, which is our primary and ultimate concern.

LONG-TERM CARE

Mrs McLeod: I also have a question for the Minister of Community and Social Services. The minister indicated yesterday in her statement on long-term care reform that the government would move to match financial support to the actual care requirements of residents in homes for the aged and nursing homes. I ask the minister to advise us when this levels-of-care funding will be implemented, given the fact that the consultation paper is not yet released and the consultation is not to begin until the fall?

Hon Ms Akande: We have been monitoring the needs in that particular sector. We have begun to move, in particular municipalities and with particular groups, to rescue services in those areas. In response directly to the levels-of-care

question, we are doing it. We have recognized our responsibility to maintain the system while we effect changes. We are doing it in this fashion in order not to initiate new beds where they are not necessary.

Mrs McLeod: This is no longer a question of maintaining the existing system. The existing system is in a state of crisis. Surely the minister will be aware that under the long-term care reform plans tabled by the previous government a year ago, it was intended to implement multilevel care funding by January 1992. I trust the minister is also aware that the Ontario Nursing Home Association has made a decision to cut its staff for nursing home residents in October if levels-of-care funding is not in place.

While the minister and her colleagues have spent this lost year debating ideologies, a crisis has built to a proportion where ultimatums are being issued. I ask the minister, since she is the lead minister for long-term care reform, to describe what she can do to protect the service now offered to residents in nursing homes, and whether she can provide us with a detailed implementation plan and a timetable for her long-term care initiatives.

Hon Ms Akande: It surprises me and concerns me, the degree to which the member responds to the crisis situation, which has been allowed to build over several years. We have inherited a crisis, and it is in relation to that crisis and in a manner appropriate to it that we are addressing it. We are addressing it by municipality. We are addressing it in relation to need and are responding through area offices in an appropriate way to ensure the levels of care. We have met and will continue to meet with those people.

HOCKEY FRANCHISE

Mr Sterling: My question is to the Minister of Tourism and Recreation. The minister may have heard my question yesterday regarding the Ottawa Senators national league franchise which they have been awarded for the 1992 season. He may also be aware that the Minister of Agriculture and Food is in opposition to the site for the Palladium in the city of Kanata, which I represent. However, if that arena site is approved, and I truly believe it is going to be approved, in spite of the interventions of the Minister of Agriculture, I wonder whether the Minister of Tourism would express his support for the Ottawa Senators here today.

Hon Mr North: The Ministry of Tourism and Recreation is very interested in any recreational sports body in this province. I am not in a position to support any professional sports organization within the province in this manner.

Mr Sterling: I am absolutely amazed that the Minister of Tourism and Recreation for this province is unwilling to support probably the major tourist attraction in Ottawa-Carleton. It leads me to the conclusion that this minister should resign if he is unwilling to support the Ottawa-Carleton area.

The Ministry of Agriculture and Food is spending somewhere between \$1 million and \$2 million of Ontario taxpayers' money to oppose the Ottawa Senators building

in the city of Kanata. Can the Minister of Tourism tell me he is not willing to put in one cent, or even reply to my request that he will send an official of his ministry to the hearings to speak positively about the tourist impact it will have in the Ottawa-Carleton area? Is he not willing to do even that, in spite of the fact that the other minister is spending \$1 million to \$2 million to oppose the Ottawa Senators in eastern Ontario?

Hon Mr North: I am sure the honourable member on the other side of the House is well aware that this is in front of the Ontario Municipal Board and I am not in a very good position to speak on it at this time.

RETAIL STORE HOURS

Mr Morrow: I have a question for the Minister of Labour about the recently announced protection for retail workers. I have had several people in my riding ask me whether employees working in retail stores, including non-sales workers, managers and security guards, were covered by these announced amendments to the Employment Standards Act.

Hon Mr Mackenzie: I want to thank the member for his question—it is a valid one—and let him and his constituents know that all employees working in retail stores whether full- or part-time, have the right to refuse Sunday and holiday work and have an additional 36 hours provided.

Mr Curling: My question is to the minister of Sunday shopping. Recently, his government stated and explained the tourism criteria: "It will ensure consistency and fairness through the mandatory application of a province-wide standard." When we look at the different public opinions regarding the impact of tourist criteria, we will see that these criteria will be anything but consistent and fair. For example, the mayor of Windsor feels the guidelines would allow the whole city to open. Officials in Ottawa feel that local shopping malls will meet the criteria. Citizens for Public Justice, a coalition of groups opposing Sunday shopping, argues that the criteria will close most retail establishments on Sundays and other holidays. Other interested parties are unable to figure out what the real impact of the tourist criteria will be.

Can the Solicitor General tell the Legislature how he expects to develop consistency and fairness in regard to holiday shopping if municipalities responsible for implementing these guidelines cannot agree on what they mean?

1500

Hon Mr Farnan: I am very proud of the legislation that we have brought forward, for two reasons. First of all the principles that are enshrined in the legislation are principles that we can all stand by and that we are all proud of.

The member, in posing his question, is quite right. One of those principles is to provide a sense of balance and uniformity both in application and enforcement across the province. That is why this government, unlike the Conservatives of the past, unlike the Liberals of the past—Conservatives who refused to define what tourism was and Liberals who washed their hands of the issue—has courageously said: "Here is the definition. Here are the provincial guidelines." This is how we will get that kind of uniformity.

Mr Curling: The Solicitor General has stated that this legislation is bold and is balanced and about the delicate balance that he has. He is so proud of this legislation that in Focus Ontario, he could defend it in this way: he agreed that the legislation will not protect the rights of workers. It has come to our attention now that his government is in the midst of privately developing special guidelines to underwrite this legislation he put forward. He wanted to help to interpret the tourism criteria announced last week.

What this amounts to is really guidelines upon guidelines. It clearly illustrates the government's lack of confidence in the tourism criteria. Today, given the government's inability to provide clear guidelines that will provide a consistent and fair tourist exemption system, we are once again hearing from the Solicitor General. We are going to ask him again, as I asked recently, will he withdraw his legislation or at least explain why it is necessary for him to have guidelines upon guidelines if he is so confident that his legislation will work?

Hon Mr Farnan: It seems so obvious that if, as the liberals did, the provincial government simply washed its hands of the issue and said, "Look, we don't want responsibility; push it off to the municipalities and that is it," that would be irresponsible. Compare that to the very sound approach being taken by this government in developing provincial guidelines that can be applied by the municipalities, so that where there are legitimate tourist options—and I stress legitimate tourist options—they can be applied.

I am proud of the legislation. I am proud to carry it in this House, and this government is proud to bring it to the people of Ontario.

SCHOOL TRANSFER

Mrs Cunningham: I have a question for the Minister of Education. I was relieved to see that she approved the Essex county school accommodation agreement on Monday so that the people of Essex county can finally get on with their lives. However, we are somewhat surprised that her ministry will provide funds to the Essex County Roman Catholic Separate School Board to build two schools.

In 1989, former Minister of Education Chris Ward allocated money to build those two new schools, St Thomas of Villanova and Cardinal Carter, for \$22 million. This government decided to intervene in January with the position that no provincial dollars would be allocated to build a new school while underenrolment existed in the public system. The Minister of Housing was quoted many times as saying, "The ministry made it fairly clear that building new schools is not an option."

Since the government's intervention, Essex county has been in turmoil, with angry protests, vandalism and, regrettably, the fire-bombing of a church. After all the crisis in Essex county in the last six months, the province will still build two new schools, as it intended to do back in 1989. Can the minister justify her decision to intervene last January, and does she feel responsible for the recent strife in Essex county?

Hon Mrs Boyd: As I have said a number of times in this House, we did not take away the option of building those two schools. The location that had been decided on by the Roman Catholic school board for that school was challenged by citizens before the Ontario Municipal Board. The OMB ruled against the site of the school, and the court upheld that ruling in the late fall of 1990. At the same time, the two school boards cancelled the agreement to share General Amherst District High School between the students of Villanova and General Amherst. That put the situation into a crisis, and that is the point at which we intervened. We never took the option of two schools off the table. What we said was that since that had been blocked by the OMB, we hoped the two boards would look at other options, given the drop in enrolment in the public system.

It is quite clear to the people of Ontario that both boards worked very hard over these months to try to come to a solution that would meet the needs in the locale, which was what we had requested: that they would work together to ensure the students of Villanova had a school on 1 September 1991 and that a resolution that would last in Essex county would be reached. We believe this has happened. The Roman Catholic school board has decided to sign off on its Bill 30 rights and the ministry has received a commitment from the public school board to study the space surplus.

Mrs Cunningham: I cannot respond to the agreement because I have not seen it, so I do not know what kind of a precedent this agreement will make. But I will repeat my earlier statement that the minister said one thing and the Minister of Housing said something else—and it was very, very confusing for the committee—in stating that the ministry had made it fairly clear that building new schools was not an option. That was not a very clear message to the community.

On 3 April, I asked the minister whether she intended to rule in accordance with clause 136v(2)(d) of the Education Act, and I will repeat it: "...in a community that has only one secondary school operated by the public board, that the secondary school will continue to be operated by the public board...unless the public board decides otherwise." Of course, General Amherst did clearly fit that description.

During the extensive hearings on Bill 30 and Bill 85, Richard Johnston, the former NDP critic, repeatedly stressed that in single-school communities, single schools have to be maintained. For the record, given that single-school-community clause in the Education Act and her party's long-standing policy, I have to ask the minister again, why did she feel it necessary to intervene with the mixed messages from her colleague in Essex county?

Hon Mrs Boyd: I have explained why we intervened, and I do not intend to repeat that. From our point of view, it had nothing to do with the situation of community schools. The act is clear. The resolution is clear around community schools: "unless the board agrees." The board had agreed in one of the agreements that was reached, and reconsidered when there was such a loud outcry from the citizens in Essex county. Indeed, they were encouraged by

their coterminous board to reject the agreement that was reached on 27 April. We maintain our position, which is consistent with that act: that unless a board agrees, the clause that affects community schools in single-school communities obviously comes into place.

1510

CAPITAL FUNDING FOR SCHOOLS

Mr Huget: My question is also for the Minister of Education. Recently the minister announced a \$50-million fund for the multi-use of schools. School boards, I am sure, welcomed that announcement, and many are likely curious as to how they could access that very important fund. Could the minister please clarify to the House how school boards in this province can access the multi-use fund?

Hon Mrs Boyd: A number of school boards, in their capital forecasts, had indicated a desire to do work either with a coterminous school board or with a college or a community service. There was no leeway within the funding formula from the Ministry of Education to provide the capital dollars for either renovation or building to facilitate that.

What we are saying, given our strong commitment to interministerial co-operation around the use of community resources, is that we will develop the criteria. Those boards that have projects ready are already known to us. Those that do not will be given those criteria and will be able to apply under that part of the grants.

DEVELOPMENT IN EASTERN ONTARIO

Mrs Y. O'Neill: My question is to the Minister of Industry, Trade and Technology. Under the former government, the Eastern Ontario Development Corp played a major role in encouraging the establishment of new businesses in eastern Ontario and in helping existing businesses to become more competitive. Yesterday I was with the Liberal budget tour in Kingston, where we heard a presentation from the Kingston area development commission. The commissioner who presented this to us was very upset that the NDP government had eliminated interest incentives for loans and guarantees under EODC assistance. This was done without consultation and with no notice.

We have heard the NDP say it has increased the provincial deficit to fight the recession. Will the minister please explain how this cutback in Eastern Ontario Development Corp assistance and funding will help the battered economy of eastern Ontario?

Hon Mr Pilkey: The action was taken as a result of the considerations of the budget, which as members opposite will recognize was already too high from their perspective. Interest incentives were deleted so that the number of dollars we had available for loans to companies in eastern Ontario, and in fact throughout the province, would not be reduced.

I will say, and I do hope it lends some comfort, that if there are examples in the Eastern Ontario Development Corp area where loans would be helpful, we still are prepared,

on an individual, case-by-case basis where we deem it appropriate, to make that accommodation.

Mrs Y. O'Neill: I really do think the people on the front lines—and these are government agencies, boards and commissions that I am talking about—would know what is going on here in Toronto. That is good news. But the people who are administering this certainly do not know that.

The minister will know that eastern Ontario does not have the same financial and economic base as the GTA. Support programs from the province are very important to these communities. They are trying to get new economic development to fight the recession in Ontario. The Kingston area development commission continues to work hard to find new business opportunities for this region. The minister knows that the Kingston area in particular must compete with the strong incentive programs of both Quebec and the northeastern United States.

Why has the minister decided to take away these interest incentive loans? The budget was passed on 29 April, and he is informing the House of this development today. What new measures has he taken to help the groups? I would ask him to be very specific, because these people want to know how they can help build Ontario and specifically eastern Ontario.

Hon Mr Pilkey: As I indicated, the alteration was not a significant one. We would be pleased to provide the member with a list of all the companies that have been assisted by the Eastern Ontario Development Corp—as a matter of fact, the countless number of companies throughout Ontario that the Ontario Development Corp has assisted. The number is significant and the dollars invested are equally significant.

As I indicated, it was our hope to maintain, through the budget process, an amount of money so that loans would not have to be reduced or that fewer people would be rejected in terms of requests, and we have been successful in maintaining that amount. In terms of an adjustment, the incentive portion of it had to be adjusted. It was done, but I reiterate to the member, if there are individual circumstances where interest incentives will make the difference on a particular deal, we will bend the rule and make that exception.

WATER QUALITY

Mr J. Wilson: My question is for the Minister of Tourism and Recreation. Today I have an easy question for the minister, and I would appreciate a complete response.

The minister would be aware that the Ministry of the Environment is amending regulations 305 and 310 of the Environmental Protection Act by changing the definition of sewage to include grey water as well as black water on boats. What is he doing, in his capacity as minister, to mitigate the obvious tourism impact that this legislation will have?

Hon Mr North: I would like to refer the question to the Minister of the Environment.

Hon Mrs Grier: I am not sure I can comment on the impact on tourism and recreation other than to indicate that

people who are tourists and who wish to use the lakes for recreation are extremely concerned about the quality of the water. Many of the requests for us to look at the impact of boats that discharge grey water, as opposed to their sewage water, which now has to be contained, come from other waters, come from cottagers, come from people who wish to enjoy the waterways of this province, and who wish to do their part to make sure those waterways have improved water quality in the future.

Mr J. Wilson: I am extremely disappointed that once again the Minister of Tourism and Recreation has demonstrated that he does not know anything about his portfolio. I have yet, as critic for the Ontario PCs, to get any answer out of this minister in question after question, and we saw that again in my colleague's question regarding the Ottawa Senators today. He does not know what he is doing. He really should resign.

None the less, he has referred it to the Minister of the Environment, and I would say to the Minister of the Environment that in a letter of this May from the Ontario Marina Operators Association that was sent to the Minister of Tourism and Recreation, the association points out that the net benefit to tourism of overnight transient boating in Ontario is about \$145 million a year, a substantial amount of money coming into the province from transient boating. It is clear the OMOA believes that the government—and I appreciate pointing out to the Minister of the Environment the belief out there, certainly from the marina operators—going to move ahead with the grey water regulations regardless of what the Minister of the Environment hears in the current consultation process. The marina operators think that the government negotiate with neighbouring Great Lakes jurisdictions to pressure them to adopt similar grey water legislation.

I want to know from the Minister of the Environment if today she will make the commitment to this Legislature that she will negotiate with those jurisdictions that border Ontario to lessen the effect of her grey water regulations in the tourism industry. It is an extremely important question. Will the minister give us that commitment today that she will undertake those negotiations?

Hon Mrs Grier: Let me start by saying to the member that I completely reject the preamble to his question and the unfair comments that he has made about my colleague the Minister of Tourism and Recreation. I think it is entirely appropriate that a question relating to a proposed regulation from the Ministry of the Environment be answered by the Minister of the Environment, and I am very happy to give that answer.

The regulation concerning the requirement that boats in Ontario waters be required to contain their grey water in a holding tank was sent out for discussion and consultation, and an indication that we were intending to move forward on this summer, but next summer, the summer beyond that with that regulation.

We have received, as the member has said, a lot of letters back, some very much in favour of what we are doing, some very concerned about the implications of it, and some with some very good points to make about, perhaps,

suggestions such as the member has raised, or other modifications to the regulation. Let me assure the member that we are reviewing all of the submissions we have received. We are looking at all of the ideas and the suggestions that have come forward, and I will be happy to share our conclusions on that when they have been arrived at.

1520

SOCIAL WORKERS

Mr Fletcher: My question is for the Minister of Community and Social Services. I met recently with a delegation of social work professionals in my office to listen to their presentation regarding legislation governing those working in the social services. The question of this legislation is one that had been left unanswered by the previous government. In fact, the only time the previous government did anything is when the New Democrats were calling the shots. My question is whether the Minister of Community and Social Services intends to move in this area.

Hon Ms Akande: We have already begun to meet with many of the social workers and those people who are involved in social services. Let me come to some conclusion around this particular issue. Let me paint for the member the context in which this question exists.

There are three groups that are concerned about this legislation: social workers who are graduates of university, social service workers from the community colleges, and cultural groups that have counsellors who have filled the void when actual graduates have not existed. All three of those groups are to be covered somehow under some legislation. It is the direction of this particular government to come to some decisive end about what we will do with that.

LANDFILL SITE

Mr Offer: I have a question to the Minister of the Environment with respect to the Britannia landfill site in my riding. As the minister knows, this site is going to be at capacity in the very near future. One option that she has before her is to expand the site under her emergency powers. To date, I have over 1,000 petitions by residents around the site that are calling for the minister not to expand the site under her emergency powers without a full environmental assessment hearing process.

My question is really of a two-part nature. First, will the minister do at least this by acknowledging that this is in fact one such option, as has already been indicated; and second, will she commit to the people of Mississauga North and, indeed, of the region of Peel that she will not exercise that emergency power—expanding the Britannia landfill site without a full environmental assessment hearing process?

Hon Mrs Grier: Let me tell the member, as I have so often told the members of this House, that there will be no long-term site for waste within the GTA or, in fact, anywhere, without a full environmental assessment. But as I have indicated on many occasions to the member, we may well find ourselves faced, as a result of the lack of planning and the lack of preparation that we inherited, with a

short-term period in which the long-term sites will not be ready and we will run out of capacity in existing sites.

But I am very glad to be able to share with the House the news that, while the Britannia landfill site to which the member refers was expected to be filled early this summer, as a result of the very real efforts that have been made by the people in the region of Peel and the city of Mississauga the site will now be extended in its existing approval until March 1992. I know the very real concerns that the people around that site have about its future, but I have to say that in an emergency it is obviously one of the sites I would have to look at if we ran out of capacity within the GTA.

Mr Sorbara: I say to the Minister of the Environment, whose term as minister is quickly becoming an unmitigated disaster, that if there was no long-term planning going on when she assumed her responsibilities, there was no long-term planning when the now Premier, the then Leader of the Opposition, stood at the edge of the Keele Valley landfill site, along with the NDP candidate, and said to the people of my riding that there would be no expansion, short-term or long-term, of that facility without a full environmental assessment.

He made that commitment to the people of my riding, and I want to tell my friend the Minister of the Environment that many people voted for the NDP candidate on the basis of that promise alone, and now I have thousands of petitions to present to the minister from those very people who want the Minister of the Environment to keep her promise.

Now I ask her, on behalf of the people in my riding, would she simply give us a commitment in this House that she will keep the word of the now Premier that Keele Valley will not be expanded, even for a short term, without an environmental assessment? Would she do that?

Hon Mrs Grier: I think, as the member well knows, at the time in which the statement that he refers to was made, and when he says, quite properly, no long-term planning had been undertaken, there was a very real fear on the part of the people in his community that the Keele Valley site would in fact become the long-term site for waste disposal within the GTA and there might not be an environmental assessment.

I repeat to him, as I repeated to his colleague, that a long-term landfill capacity will not be approved without an environmental assessment process, but, as I have said on many occasions, it is my responsibility to make sure that there is capacity until we find ourselves those long-term sites. We are doing that by waste reduction and aggressive waste diversion, which people all across the GTA are co-operatively participating in. But it is my responsibility to make sure that we have capacity, and if that takes an emergency power, then that is what I, reluctantly, will have to do.

PETITIONS

SOCIAL SERVICES

Mrs McLeod: I have a petition from the Ontario Association of Professional Social Workers addressed to the Legislature of Ontario, which reads as follows:

"The undersigned demand that the Rae government act immediately to introduce a social work act for Ontario. Without this urgently needed legislation, every member of the public in Ontario, including those most vulnerable and disenfranchised, remains at enormous and unnecessary risk. Building a strong Ontario for tomorrow is dependent on protecting the children and families of today."

I share the sentiment of the petition. I have affixed my signature to it.

CHILD CARE

Mrs Marland: I have a petition to the Honourable Minister of Community and Social Services and the government of Ontario:

"We, the undersigned, request that the minister take action immediately to rectify the further salary inequity announced January 31, 1991, for early childhood educators. We believe that the principles of freedom of choice, pay equity and non-discrimination form the backbone of our democratic society. Furthermore, parents must retain the right to select the day care of their choice."

This contains 68 signatures and I am very happy to attach my own signature to it.

ONTARIO SCHOLARSHIP AWARD

Mr Wessenger: Pursuant to standing order 35, I have a petition signed by 126 secondary school students in my riding asking the Minister of Education to rescind the decision with respect to this year's eligible graduating students to withdraw the Ontario Scholarship Award program.

LANDFILL SITE

Mr Sorbara: I have a rather long petition signed by several thousand people. I just want to get the text of the document. Mr Speaker, if there is someone else who wants to do a petition, I will just take a moment, if I could.

The Speaker: Petitions? Does anyone else have a petition? We will wait for the member for York Centre.

Mr Sorbara: I will dispense with the full text. I have here several thousand petitions from the residents of York region, from every corner of York region, addressed to the Minister of the Environment in the form of a letter. I also have a petition here signed by several hundred people who attended a demonstration opposing the expansion of the Keele Valley landfill site.

I note these petitions were gathered over the past month or so and they represent the anger of the people of York region about the possibility that the Minister of the Environment would consider expanding the Keele Valley landfill site without a full environmental assessment, which would be consistent with the promise the Premier made during the last election campaign.

I will send these over.

1530

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented the committee's 10th report and moved its adoption.

Mr Runciman: This is our 10th report. Obviously, we are the busiest committee in this Legislature, and perhaps in the Legislature's history.

The Speaker: Pursuant to standing order 104(g)(14), the report is deemed to be adopted by the House.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Hansen from the standing committee on regulations and private bills presented the committee's report and moved its adoption.

Your committee begs to report the following bills without amendment:

Bill Pr11, An Act to revive The Big Sisters Organization of The Regional Municipality of Sudbury;

Bill Pr13, An Act respecting South Ottawa Services Foundation, Inc;

Bill Pr69, An Act to revive The May Court Club of Oakville;

Bill Pr71, An Act respecting The London Foundation.

Your committee recommends that Bill Pr46, An Act respecting the Wolfe Consortium for Advanced Studies Inc, be not reported, and your committee further recommends that the following bills be not reported, they having been withdrawn by the applicant:

Bill Pr35, An Act respecting the City of Toronto;

Bill Pr64, An Act respecting the City of Toronto.

Your committee further recommends that the fees and the actual cost of printing at all stages and in the annual statutes be remitted on the following bills:

Bill Pr11, An Act to revive The Big Sisters Organization of The Regional Municipality of Sudbury;

Bill Pr13, An Act respecting South Ottawa Services Foundation, Inc;

Bill Pr46, An Act respecting the Wolfe Consortium for Advanced Studies Inc;

Bill Pr69, An Act to revive The May Court Club of Oakville;

Bill Pr71, An Act respecting The London Foundation.

Motion agreed to.

ORDERS OF THE DAY

POLICE SERVICES AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES SERVICES POLICIERS

Mr Hampton moved second reading of Bill 66, An Act to amend the Police Services Act, 1990.

M. Hampton propose la deuxième lecture du projet de loi 66, Loi portant modification de la Loi de 1990 sur les services policiers.

Hon Mr Hampton: The purpose of this bill is straightforward. Under the system we have for dealing with police complaints, boards of inquiry are heard by individuals appointed by order in council for a fixed period of time. It can often happen that a panel member starts a board of inquiry within the term of his or her appointment, but the board continues, generally because of adjournments, after the term of appointment has expired.

The Police Services Act remedies this problem by making it clear that a panel member continues in office after the expiry of his or her term for the purpose of finishing any boards of inquiry which he or she has commenced.

This provision was not contained in the Metropolitan Toronto Police Force Complaints Act, which was replaced by the Police Services Act on 31 December 1990. None the less it appears that when that act is read together with the Interpretation Act and the new Police Services Act, there is a strong legal basis to infer that members of boards of inquiry appointed under the old act may continue in office to finish boards of inquiry after their appointments expire.

However, because the issue could be raised in any one of the boards of inquiry started under the old act and not yet finished, and in order to avoid any delay and expensive litigation, the bill now before the House simply confirms that the very sensible provisions of the Police Services Act will apply to boards appointed under the old act. In this connection I should confirm that members of panels appointed under the old act would continue in office only for the purpose of finishing boards to which they were appointed before 31 December 1990.

There is no jurisdiction under this bill or under the Police Services Act to give these individuals any new assignments after 1 January 1991. As of that date, all boards of inquiry, whether dealing with events which took place before or after 31 December 1990, must be constituted under the new legislation and must be heard by panel members newly appointed pursuant to that legislation.

This bill is essentially a housekeeping bill to put into the Police Services Act provisions that probably should have been there in the first place. We feel that by placing these provisions in the act, we will provide greater certainty and avoid delay and some unnecessary expense. Therefore I commend this legislation to the House and ask all members to co-operate in its early passage in order that whatever uncertainty exists can be removed.

Mr Sorbara: I agree with the remarks of the Attorney General that the bill is non-controversial, that it is simply a housekeeping matter to ensure, as he says, that boards of inquiry can continue to do their work under the old act if they were established under the old act or under the new act if established under the new act.

It is good to see the Attorney General is bringing forward the motion. We are not going to get in the way of its speedy passage, although it is safe to say the act probably was not necessary. The kinds of concerns the minister said could arise are really on the very fringe of likelihood under a board of inquiry. But they have decided they want to do it, so we are going to support it. If the minister even wanted to have the third reading of it today, we would be willing to do that.

There is just one larger question that ought to be referenced here in conjunction with the consideration of this act. The minister, as the chief responsible for the administration of justice in the province, knows as well as anyone that in regard to his agenda to ensure our justice system meets the kinds of requirements as provided in the Askov decision, he as minister has not been living up to the

expectations he created when some six months ago he said he would have the backlog cleaned up by the end of the summer.

It is not directly related, obviously, to the Police Services Act, but while we are debating one of his bills I just want to remind him it is not only this Parliament that is watching carefully to see whether the minister is going to live up to the guarantee he gave this House in the province about ensuring the court system provides speedy justice for all those concerned. I had an opportunity to be visited today by representatives from the Canadian Bar Association—Ontario wondering what it is the minister intends to do in the area of court reform. That is another major area he should be directing his attention to.

1540

My friend the member for Burlington South has initiatives relating to victims of crime, and the Attorney General has said he was going to be getting on with those matters as well. We have not seen anything from the Attorney General that truly reflects what his government wants to do in the justice system. The previous Attorney General, the member for St George-St David, was very aggressive in the reforms he brought to the administration of justice in this province.

Hon Mr Hampton: Still trying to patch up relationships with judges.

Mr Sorbara: I want to tell the Attorney General, who is attempting to interject, that I honestly believe the reforms brought about by the member for St George-St David will stand as one of the truly progressive areas in the administration of justice. Indeed, it is interesting that my friend the Attorney General has, over the course of his first eight and a half or nine months as Attorney General, brought a number of projects to this House for our consideration. Virtually all of them were projects brought to a full state of maturity by his predecessor.

The truth is that there are many more things that need to be done in this province so we have a system of justice we are proud of. There are issues relating to access to the courts, issues relating to court reform, issues relating to the rights and responsibilities our citizens share and have in this province.

I await the day when my friend the Attorney General will do something other than bring forward a technical bill dealing with the Police Services Act; will do something more than bring to the House legislation that was the project of, the child of, the product of the work of his predecessor. I really do encourage him to complete that work, get all the stuff done that was there when he came to office. It was all pretty much good stuff, and very soon we are going to be considering one of those, Bill 40, the Mortgages Amendment Act. He has tinkered with it a little bit, and I think unfortunately so, but I plead with him some day before the expiration of his term to get on with some projects that really reflect his own government's view of the administration of justice and then we will have something we can debate more aggressively.

For my part, on the amendments to the Police Services Act, Bill 66, I say Fine. It is technical, not much turns on

it. It will perhaps avoid one, possibly two, applications to what used to be called the Divisional Court—it is no longer called that—the Ontario Court (General Division) as it is called now, and that is good, that is fine, but I encourage him to get on with some of the more important issues that confront him as the Attorney General and confront the people of the province as they look to a system of justice that can be responsive to their needs and that we can all be proud of.

Mr Carr: I am pleased to stand up and talk very briefly on this as well. As the Attorney General said, it is not too controversial, it is basically a housekeeping measure. The bill confirms that most of the members of the board of inquiry constituted under the Metropolitan Toronto Police Force Complaints Act, 1984, will continue to sit as members of the boards until their work is completed. So this just ties up some of the loose ends with that.

Under subsection 112(2) of the act, the boards of inquiry constituted under the previous act are still responsible for hearing complaints made before the Police Services Act came into effect. The amendment has been brought forward, I think, probably more than anything else to avoid some of the challenges that would be out there to their decision.

Like the previous speaker, though, I am concerned that the only initiative coming out of the Ministry of the Solicitor General is just tying up some loose ends. When I got involved in becoming the critic for the Solicitor General, I figured it was going to be a ministry that was going to be fairly active.

We in this province have a tremendous increase in crime rates, actually unprecedented in our history, and I figured some action would come through. We are not seeing that.

The justice system in Ontario does not work right now. We have a situation where the rapid increase in crime has meant that so many of the criminals who are out there get away with it. The police are unable to keep up with the increases out there because of a lot of interrelated problems, things like the high use of drugs, which accounts for such a high proportion of the break and enters. People who are involved in that are breaking and entering in record numbers in this province.

It was my hope that we would see some concrete action rather than tying up some bills. Even for the act itself, the Police Services Act—that is of course a fairly detailed bill—all the work was done by the previous government. I think that when the Solicitor General brought it in he did point out the fact that much of the work was done, and of course we missed one small little piece with this.

Hon Mr Hampton: That is why we are correcting it.

Mr Carr: The Attorney General says they are just trying to clean up some of the mistakes. I had the fortunate pleasure and I never worked so hard in all my life as when we sat on support and custody orders enforcement and tried to fix up some of the mistakes in his bill. We went on and on with the mistakes that were there, but we came out of it, I think, with some valuable input and hopefully that

what we are going to do with committees, so that these things do not happen.

We are all here to contribute in our own little way and in fact some of the members on the justice committee who were there who have legal minds missed things like this. Sometimes collectively we can make sure things like this do not get through.

The nice part about it is that when we have participation and full involvement, when you have a justice committee like we have looking at some of the bills, little things that sometimes we think we are spending too much time on—I know some of the members even right now are a little bit upset with what is going on in the justice committee over conflict of interest. We are trying to take our time to get things done right and there is no: "Push it through, push it through. Let's move quickly." We see what happens sometimes when things do move a little more quickly than we would like. We have to go back and change things.

Even though this is a housekeeping bill, I am hoping we will get into a situation where we will get some substantial action to be able to deal with the concrete problems.

I had an opportunity during Police Week to spend some time with the Metropolitan Toronto Police Force and spent some time actually at their sexual assault unit at headquarters in Toronto. One of the things I was amazed at was the fine job the police in our communities are doing, how technically advanced we are in some of the measures that are going on and that our fine police forces are doing. Sometimes it seems that what is holding them back are the people who sit in this House. If we freed them up, they would be able to do a lot of great work.

When we were down there I asked them what they would like to see done with policing in Ontario, and what they would like to see from the Legislature, from somebody like myself who is involved. I guess it was during a meeting we had with some of the drug enforcement people from all levels. The RCMP was there; the OPP and the Metro Police were there as well. They said, "One of the things we would like to see is the politicians to stand out of our way and allow us to continue to work in this province."

Sometimes we think as we sit here that we are doing something valid with some of these housekeeping measures, but I would hope that we would be able to move forward in some concrete areas, because as we sit here today we have a justice system which, because of the numbers, does not catch criminals and we have a court situation where when they get caught they do not get prosecuted.

I think in this day and age we need to show very clearly that with all the cases that have been sprung, where they do not get sent to jail—of course one of the big concerns we have is that after this, at the far end of it, even if you do get caught and prosecuted, I believe there are certain areas where the punishment is not strong enough, and in fact we had some of complaints with some of the release programs.

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We have to look at all areas as we go forward. Hopefully we are going to get into some substantial legislation

that is going to allow us to make some very important inroads. Unfortunately, in this day and age, we are facing a dramatic rise in crime. One of the things we always felt we had in this province, one of the things that made us different from a lot of the situations in the United States, in some of the big areas they have in major cities with tremendous crime rates, was the fact that our streets were safe. Unfortunately, as we reflect upon the circumstances in Ontario today, indeed the streets are not safe in all areas.

I am pleased to be able to add a few comments on this piece of legislation. I will say, though, that I hope that as we go forward over the next little while we are going to get some more substantial pieces of legislation to deal with the impending problems that are facing our province during this period of time.

As the previous speaker said, we will be supporting this and looking for its rapid passage. Hopefully we will be able to get a chance to move on to some other substantial legislation that is going to really make an impact, because that is what we are here for and that is what the people of the province of Ontario expect from us.

Mr J. Wilson: I am pleased to rise today to speak on Bill 66 and on some police matters in Ontario. On two occasions recently I brought to the attention of this House a situation that is becoming both increasingly frustrating and worrisome for constituents in my riding of Simcoe West, as well as for the citizens across Ontario. The situation to which I refer, of course, is the lack of 24-hour policing in Ontario Provincial Police detachments in my riding.

I know that each member in this House shares my concern for policing services, because the fruits of our prosperous society cannot be savoured without an environment of security.

Here is a quote from Georg Wilhelm Hegel, which I feel sums up the situation most eloquently, "Order is the first requisite of liberty." No one knows this better than Mr and Mrs John Smart of Creemore. They operate the Creemore Village Pharmacy in Creemore. It is your typical story of a young couple who worked hard, saved their money and invested their money in their dreams, which in this case is the pharmacy business.

Unfortunately what is also becoming typical are the difficulties that plague and seek to undermine the entrepreneurial spirit in this province. The Smarts are not only victims of too many taxes and too much government intervention; they are being victimized by the very system that their tax dollars have supported over the years.

For those members who are unfamiliar with the plight of the Smarts, I will refresh their memory. Their Creemore Village Pharmacy has been burglarized five times in the past year and three times over the past two months. There is one common thread weaving its way through these burglaries. The times of the burglaries have coincided identically with the hours officers from the local OPP detachment go off duty and go on call from their homes.

When asked about this serious problem, the government's Solicitor General talked about the remarkable job being done day in and day out by police officers in this province. There is absolutely no question of that.

During Police Week, I went on patrol and spent a great deal of time with officers from the Alliston and Stayner OPP detachments. Their dedication, commitment and performance is at all times exemplary.

But the Solicitor General should desist from clouding the issue. The issue is not one of performance but one of deterrence. Criminals who travel to Creemore know exactly how capable the officers in the detachment are. That is precisely why they wait for these officers to go off duty before striking. When officers go off duty and go on call, the capability to deter crime in areas such as Creemore goes with them.

If the Solicitor General has been consistent, he has been consistent in his ability and perhaps his willingness to cloud this issue. When I initially raised this issue back in April, the Solicitor General told me his inaction was related directly to a province-wide staffing report that he had not yet received. But on 4 June the Solicitor General, in response to a question from my colleague the member for Wellington, confirmed that he had this report on his desk since March.

Hon Mr Hampton: This is not a Solicitor General's bill.

Mr J. Wilson: This ties into Bill 66 very well, Mr Speaker.

While the Solicitor General hums and haws over this issue, businesses and individuals are living in fear and anxiety. The people of Creemore and area are left to wonder about a system of government that ignores rural Ontario and reneges on its promises.

There is a letter dated 16 August 1988, to a concerned resident in Creemore, from the former Solicitor General, the Liberal Solicitor General. The resident who wrote was troubled by the lack of 24-hour policing three years ago. The Solicitor General wrote to her at that time: "I am happy to report that a vacant position at the detachment will be filled within the next few weeks and a second by early fall. This will result in the detachment's complement being reduced by only one position. Once the complement of the detachment has been fully restored, 24-hour policing service will resume."

This represents a firm commitment by the Solicitor General of the day to rectify a serious problem, and three years later nothing has changed. The same problem exists. The current Solicitor General, instead of acting, wants to study the problem even further.

Is it any wonder that the public at large is angry with governments? Law and order is not something we can negotiate as simply one more demand by one more set of interests. It is, and must be, one of our fundamental priorities as a society. It is of great concern to me when I read comments in the newspaper from American tourists, upon visiting this province, who remark, "Gee, this is just like back home," after witnessing increasing crime on our streets.

What this says, in a most compelling fashion, is that we are rapidly losing the qualities that make Ontario an incredible place to live. It is not a question of benign neglect or stretched resources; it is simply a matter of

government priorities. Without a resolute commitment to law and order, all of what we enjoy in our society, such as social programs, recreational activities, education, employment, clean air and clean water, etc, means nothing without law and order.

While we are discussing police services, I would like to draw to the attention of the government the need for greater sensitivity in making appointments to police boards. Last December the NDP government made appointments to the police services board for the new amalgamated town of Alliston, Beeton, Tecumseth and Tottenham.

It was already extremely difficult for these four distinct communities to be crunched together in the process of amalgamation, but the government's shortsightedness and thoughtless appointments process just exacerbated that problem. In selecting the police services board for the amalgamated town, the government ignored the obvious needs of the four communities and selected, almost solely, individuals from the Alliston area. Suddenly residents from Beeton, Tottenham and Tecumseth were told to accept a brand-new police commission which they had little or no representation on.

The excuse given was the lack of time to make the selections and the lack of applications. That is what the government's response to my constituents' concerns was. The selections were made in December by the cabinet, which gave the government two full months to select a representative and an acceptable board. The fact that the selection process was poorly advertised accounts for any shortage in applications. Numerous people were interested in being on the board, but no one knew about the appointment process.

Here is a quote from one of my constituents, Tom Henry of Tottenham, who was upset with the process. He says:

"Many of us expected big things from this government. I, for one, was especially heartened by the promised objective approach to such appointments, and while I realize there was not time in this case to put the formal procedures in place, we could have firmly expected that such principles would have been applied to the choices. Instead, we end up with a virtual disaster and then what appears to be a whitewash to explain it. Surely you can do better, and surely you are big enough to admit the error and take steps to correct it."

That is the a quote from Tom Henry of Tottenham, writing to the Solicitor General and the Premier.

I know that not only do John Smart and Tom Henry, my constituents, want this government to do better, but so do millions across the province who have a greater sense of priority and understand the importance of law and order in our province and in our society.

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Mr Runciman: I appreciate the opportunity to participate in the debate today on Bill 66, An Act to amend the Police Services Act. I served as the critic for the Ministry of the Solicitor General in the last Parliament and have been succeeded most ably by the member for Oakville

outh. Of course, during that period of time as critic of the Ministry of the Solicitor General, I had the opportunity to become somewhat familiar with the concerns of police men and women across this province.

I wanted to take this opportunity while discussing Bill 5 to put some of those concerns on the record, because rather than being allayed following the 6 September election, I think the concerns of the policing community are even more extreme, if you will, in terms of some of the past statements of current members of the socialist government and indeed some of the actions they have undertaken since assuming office.

Morale has been a growing problem, especially in the Metropolitan Toronto area, with a significant number of officers leaving the force because of certainly the pressure of the job and the lack of support they see from elected officials. This government has done nothing to deal with that growing crisis of morale within the ranks of the Metro Toronto police force, and in fact it has done just the opposite; it has undertaken initiatives that worsen the problem.

We just have to point to Ms Susan Eng's election as the chair of the Metropolitan Toronto Police Services Board. This is an individual who in her public utterances has attacked the credibility, the willingness and commitment of many fine members of the Metro Toronto police force. It is no wonder the kind of concerns created within the police force within Metro Toronto when the Premier indicated that Ms Eng was his personal choice as the chair of this board. That is just one example.

We are going to have to wait and see how Ms Eng performs in this new role. She is obviously very much aware of the spotlight she is going to be under as a result of some of the things she has said and done in the past. I am sure my colleague the member for Oakville South and other members of this party are going to be very much part of the scrutiny of Ms Eng and her actions as chair of the police services board in Metro Toronto.

Another indication of the lack of understanding and empathy—this does not apply just to the police forces; I think this could apply with respect to the population at large—with the police men and women of this province was the decision to remove the oath of office to the Queen. What a slap in the face, at a time when this country is facing significant problems in terms of division between the two language groups and other groups in society. We have this government, unfeeling as it is with respect to our heritage, making this kind of move, removing the oath of office to the Queen. I believe it is the Metro force that is taking the government to court over this matter. That shows members just how strong the feelings are and it shows them how insensitive this current socialist government

Another matter that I think is an extremely important one, raised again by the member for Oakville South in this House with a non-response from the Attorney General—which has become commonplace for the Attorney General, to stand in his place in this House and say: "The matter is before the courts. I can't comment on it."

Interjections.

Mr Runciman: This is a very serious matter that certainly is not one we should be joking about in this Legislature, and that is indeed the Attorney General's decision to re-lay charges against Constable Brian Rapson.

We talk about morale within the police forces. I met with my police force in Brockville during Police Week. I know members of my caucus met with police boards and police officers during that week as well. I believe virtually every one of them talked about the Rapson case and the message it sent out to police men and women across this province.

Here is a gentleman who was charged and went through a preliminary hearing. The charges were completely dismissed, and then the Attorney General—and I do not know whether this is the case or not, but the Attorney General refuses to respond. Certainly the suggestion is out there that he gave in to pressure from certain groups within society, especially within Metro Toronto, to lay charges for purely political reasons. When that has been raised in this House, he has had the opportunity to address it.

Mr Drainville: I believe that under standing order 23(g)(i) it says: "In debate, a member shall be called to order by the Speaker if he or she refers to any matter that is the subject of a proceeding that is pending in a court or before a judge for judicial determination." Obviously that is the case in this case, Mr Speaker, so I think the member should be called to order.

Interjections.

The Acting Speaker (Mr Villeneuve): The table will take this under advisement. The member for Leeds-Grenville has the floor. Please continue.

Mr Runciman: I guess we could have a debate about this. I am not talking about the case before the courts. What I am talking about is the process and I am talking about the Attorney General's decision following the dismissal of charges at the preliminary hearing level.

Again, I am trying to address the question of morale problems and the signals being sent out by this socialist government with respect to the confidence it has in the ability of our police men and women in this province to do the job when they do things like appointing a Susan Eng, when they remove the oath of office to the Queen, when they re-lay charges against an officer who has to go through this ordeal again—not only him but his family, wife and children, not to mention all of his colleagues within the Metro force and throughout Ontario, who are extremely concerned about what they deem to be political interference.

We can again be scoffed at, and points of privilege and points of order can be raised simply because the members opposite do not want to hear this message. They had better start paying attention, not just to this message but to a lot of other messages that are forthcoming and are right out there now, which the members opposite choose to ignore.

We are talking about safety in the streets, and I want to put a few facts on the record. Metro Toronto's murder rate could rival that of American cities by the end of the year. That is from Chief William McCormack.

Mr O'Connor: Whose fault is that?

Mr Runciman: I am not suggesting that is the honourable member's fault.

Mr Hope: Our fault.

Mr Runciman: The honourable member should not be so paranoid. Paranoid socialists. I think that is part of their platform: Paranoia for everyone.

Hon Mr Pouliot: "Socialism" is fine, but "paranoid"? You have gone too far.

Mr Runciman: I always go too far as far as you guys are concerned.

The Acting Speaker: The honourable member should address the Chair, please, and possibly could avoid a lot of confusion from the other side of the House.

Mr Runciman: The members opposite are permanently confused, Mr Speaker, so despite my addressing you, that is not going to correct that situation. In any event, I do not want to talk about that. We can talk about a number of facts I want to put on the record and then make reference to them.

I am not blaming the socialist government for the fact that crime is on the rise in Ontario. Another six months from now, if they have not done anything to adequately address it, I may indeed stand in this House and blame them for it.

I talked about Metro's murder rate. We all know what is happening in the streets of this city. Between 1985 and 1989, the actual number of offences of violent crimes in Metro increased from 18,765 to 27,000, a 147% increase. Auto theft in just the last year is up 12.4%. The Toronto Sun of 13 February 1991 had a story that police logged 16 heists in 18 hours. Gunpoint robberies are up 190% this year, and the number of drug-related crimes is skyrocketing.

We can get outside the Metro area. In Durham, the number of drug offences has increased over 28%; sexual assaults up 13.5%; assaults on police officers up 19%; assaults on citizens increased 12.5%; break and enter, 17.2%; break and enter of businesses up almost 35%. I wonder how the current government is addressing that.

What are they doing? They are appointing Susan Eng, who has been very much antipolice in her attitudes and approaches in the Metro police board. What are they doing? They are removing the oath of office to the Queen. What else are they doing to improve the morale? They are re-laying charges against a police officer in Toronto. They are also removing the OPP Pipes and Drums and the OPP Golden Helmets.

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Those are the kinds of initiatives this government has undertaken to address a growing problem in Ontario with respect to increasing violent crime and all other crimes across the map. That is the government's answer. What a great answer. We have police officers in this province who are forced to answer calls from their area in their own personal cars because the government will not provide them with police cars to do their job.

We talk about police officers in this province who simply are not being provided with the tools to do the job

adequately. We look at the automatic and semi-automatic weapons. They have to go into some areas of Metro Toronto and be faced with semi-automatic weapons. What do police officers in Toronto have? When they talk about getting better weaponry, what kind of approach do we get from the Solicitor General and the Attorney General? Absolute silence. This is a growing problem. We are talking about safety on the streets of this province.

Interjections.

Mr Runciman: The government can laugh it off, can scoff it off, but there are growing concerns in this province.

There was a study done last year that showed that close to 40% of people in Toronto are afraid to go out of their homes at night. Almost half the people of this city are now afraid to go out of their homes and to walk the streets of Metro Toronto. Does that not say something to the government? Is there no message in that for them about growing concern about safety in the streets?

Again, the Attorney General is smiling his way through all of these serious problems. I do not think it is a laughing matter at all. It is a serious situation and this government has not even attempted to deal with it. In fact, it has taken actions that have the opposite effect of improving the morale of our forces in this province. How are we going to address all of the problems like swarming of youth street gangs? What about the increasing problem of Asian crime? I do not see anything happening.

I do not recall a statement—perhaps there has been one; if there is, I will apologize—from the minister responsible for fighting the drug problem in this province. What kind of significant initiatives has he undertaken? They are reworked Liberal initiatives that were not doing the job. In fact, when we take a look, 80% of the heroin that ends up in the United States comes through Canada. When we talk about someone being responsible for the drug problem in this province, why does the government not assign a member of the executive council with just that responsibility? That is so serious. Most of the crime in this province is now related to drugs and drug activity. Let's have one person, not someone who is looking after two other ministries and simply does not have the time.

Members of the executive council know what kinds of responsibilities are placed upon them, what kinds of groups, associations and individuals want to take up their time. They have to prepare for question period, they have to prepare for all sorts of things. To say that a minister can adequately do the job when he has other responsibilities in line ministries is foolishness for anyone who has served in the executive council. We know it just does not work. He is simply not paying attention or certainly cannot pay adequate attention, and I am not necessarily being critical of the minister. The Premier assigned those responsibilities. He is the head of this government, and obviously he does not place enough importance on the question of crime, drug-related crime, police morale and safety on the streets of this province. What he does place priority on is, apparently, giving in to pressure from very vocal and active minority groups to do things like re-laying charges against a Metro Toronto Police officer.

I would like to hear the Attorney General or the Solicitor General get up and talk about the Young Offenders Act, the revolving door system. I know it is a piece of federal legislation. I grant them that, but certainly the Attorney General and the Solicitor General of this province can play a very active role in seeing amendments brought forward that are going to get rid of the revolving door, that are going to adequately deal with young offenders who commit serious crimes. It is so offensive to most of us in society when a young offender commits a murder, for example, and is back out on the streets after three years of what I would call soft time, certainly not hard time.

Again, those are just some of the matters this government, this minister and this Solicitor General, who is not here today, who has certainly not engendered a lot of respect in terms of—although I like him personally and served with him in opposition and felt he did a fine job as a member of the opposition, I share the view of most of us, not all of us, on this side of the House in respect of what has occurred in the past, that he should have indeed stepped aside. But I am not going to get into that today.

I have put on the record the swarming youth gangs and the increasing problem of Asian crime. I see an estimate in there, in some of the facts that I have, that they believe that in North America now we have over 2,000 individuals who are considered to be members of the Asian Mafia. We had a murder in Toronto recently, in a restaurant in Chinatown, again involving Asian gangs, where they walked into the restaurant and shot down a patron of the restaurant. It is unbelievable that this sort of thing is starting to happen in Toronto. We have talked in negative terms—especially the NDP, who are always so anti-American, always so holier than thou—about New York City or Detroit, talked about Americans in a disparaging way. Now here we are faced with a situation where in Metro Toronto, according to Chief McCormack of the Metro Police Force, we are going to be matching some American cities now because of increasing violent crime in Metro Toronto.

Where is the holier-than-thou attitude now? The government is simply not addressing this situation. But we have to. We have to have some initiatives undertaken by this government to deal with these very real, serious problems. They have got to get their priorities straight.

When we talk about this, they always say, "You're talking about spending more money." We are not talking about spending more money; we are talking about a reallocation of priorities. We can talk about budgets and how much this government is allocating for public safety versus what it is putting into social assistance. I think most of us in the public would take a look at the increasing spending in social assistance, for example. There have been a lot of stories written about this, and some members will take issue with columns, for example, by Diane Francis and others who have pointed out some of the failings of the social assistance programs in Ontario, but I do not want to get into that too much.

I am talking about a whole range of priorities. This party is prepared to sit down with the government and show it where we think money can be moved and spent

more effectively. Certainly one of the most important areas it can be spent on is public safety. Let's look at increasing that budget. Let's look at putting more funds in the hands of police boards across this province. Let's look at putting the correct tools in the hands of policemen and policewomen across this province so they can start to do the job effectively, or much more effectively than they can now because of the limitations the government is placing upon them.

I could go on in this subject at length, but in conclusion I want to indicate to the members and to the public that the Progressive Conservative Party of Ontario is going to continue to keep the homes and streets of Ontario safe.

Mr Sorbara: I will wait a moment for some of the uproar that developed in the House as a result of the speech by the member for Leeds-Grenville. I guess we should call them the police party. I think some of his comments were inflammatory and I would hope that some day the kind of rhetoric about what is happening in our society in respect of the fear that we now live in should not be brought into this House. He fires around statistics that now 40% of the people in the greater Toronto area are afraid to go out at night. That is utter nonsense.

Hon Mr Pouliot: That is irresponsible.

Mr Sorbara: It is irresponsible. I take the words out of the mouth of the minister responsible for francophone affairs; actually, the only words he has mentioned in this House since it began sitting this spring, but I thank him for them.

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Hon Mr Pouliot: Why don't you ask a question?

The Acting Speaker: The honourable member for York Centre has the floor.

Mr Sorbara: No, we do not ask him questions. He does such a good job of conducting what few things he does as minister responsible for—what is it again?

An hon member: Gold mines.

Mr Sorbara: Mines, that is right. There is not very much mining going on in the province any more, but we do have a Minister of Mines, inactive as he is.

Hon Mr Pouliot: He lies.

The Acting Speaker: I am sorry. Would you withdraw those words, please. I am asking for a withdrawal.

Hon Mr Pouliot: With the highest respect, I would never say that. I have said that the member, with due respect, lies there.

The Acting Speaker: I believe I heard it slightly differently. Would you withdraw what you originally said, sir?

Hon Mr Pouliot: Mr Speaker, you are putting me under a state of siege. I will withdraw.

The Acting Speaker: Thank you.

Mr Sorbara: If I might just have a few more seconds to complete my comments, I think my friend the member for Leeds-Grenville has made some good points in his speech, but it would have been a far better address to this assembly if he had not involved himself and involved this

House in remarks that are so inflammatory and so suggestive of the kind of society that we know does not exist. For his purposes in those comments he suggests that it does exist and of course it—

The Acting Speaker: Thank you.

Interjection.

The Acting Speaker: Would the honourable member for Downsview please control himself.

Mr Harnick: I have heard the remarks of the member for York Centre and I disagree with him entirely. The member for Leeds-Grenville quoted very solid statistics that are illustrative of the difficulties within society today.

I think it is interesting to note that I received yesterday some amendments to the Courts of Justice Act made by the Attorney General, things such as if you file a document with the Court of Appeal it has to have a buff-coloured back and it has to weigh 735 milligrams, if there is such a thing as milligrams. When we read about statistics such as the statistics set out by the member for Leeds-Grenville, I wonder why we are so concerned that the back of a document filed with the Court of Appeal has to be in buff colour. We have some real problems that need addressing and the problems are illustrated by those facts and figures the member for Leeds-Grenville has set out.

Certainly the member for York Centre is concerned that the remarks might have been inflammatory. The remarks were not inflammatory; they were informative. They were informing the public of the deterioration of the justice system and the enforcement of law and order in this province and the lack of support his government is providing for law enforcement officers.

Hon Ms Ziemba: I listened very quietly to my colleague the member for Leeds-Grenville.

Mr Sorbara: None of the rest of your colleagues did.

Hon Ms Ziemba: The rest of the colleagues from the other side did not either.

I was very disturbed by the tone of the comments. I felt very concerned about how he was phrasing the type of crime that is being committed and where the crime is being committed and the fact that he questioned that people from certain groups might not have the right to have a voice about addressing the question of the police. I really am very concerned when I hear that tone.

I really feel we have to start taking a leadership role, all of us in the Legislature. We all have a responsibility for showing that we do not have any bias or any prejudice in this role. I really am concerned when we hear that type of tone and the innuendoes that are mentioned. I do worry that we all must take a responsibility in this House and I really am concerned when I do not hear that leadership being addressed.

I would like to remind all members of the House that we must all play a very important role to make sure that we have a comfort zone, that we do not have the public in a reactionary situation, pitting one group of people against another group. That is the type of rhetoric we heard today that could do just that. I share my concerns with my colleague the member for York Centre who said the exact

same thing. I am very concerned that we would continue to have that type of rhetoric.

Mr Runciman: You try to intimidate people.

The Acting Speaker: Order, please.

Hon Ms Ziemba: I listened very quietly to the debate. I did not interrupt the member's speech. My friend will have his moment to respond to my comments and I will sit quietly and listen.

Mr Cousens: I do not know whether people who have been commenting on the presentation of the member for Leeds-Grenville were here to listen to what he had to say. The first thing I want to say is to thank him for standing up for the men and women in blue who have a very important job to do. It takes someone who has seen the problems over the last several years.

As our former critic for the Solicitor General, I happened to know that the member for Leeds-Grenville is one who is genuinely concerned with these issues. When someone tries to attribute some motivation to him that would put other people down, that is not the case. I see him as standing up, strong, loud and clear, to defend the rights of all people in this province to have justice, so that there are people on the streets to help protect them, everybody, and that there is no differentiation but that all people have the opportunity to know that in this country and in this province there are going to be people to defend and protect them.

Do members know something? One of our roles in the Legislature should also be to honestly, in a very positive creative and good way, know that the police services board—and there are other ways in which we can have a stronger police services system. What the member for Leeds-Grenville is asking for is just a reinforcement of those values within our society rather than a continual downgrading of them. He says it is one of the most important things in our society. I appreciate the fact that he has done that. I appreciate the perspective he brings to this issue. I think all of us in this House have to understand that if we do not take this justice system very seriously, it will be eroded, it will be undermined, and so will democracy and so will the very life of this very province.

So on behalf of the seat that I represent, I thank the member for Leeds-Grenville for his remarks and I think they were well said.

Mr Runciman: The member for York Centre was saying that my comments were inflammatory. I do not think necessarily that my comments were inflammatory. Perhaps the way I expressed myself was inflammatory. The statistic I was using, that 39% of Torontonians were afraid to come out of their homes in the evening, that is based on a Gallup poll. That is not something I simply pulled out of the air. The statistics I was providing in the debate this afternoon are indeed just that, statistics that have been drawn together by a variety of researchers. They are indeed accurate. I think for the member to get up and simply indicate that I am pulling figures out of the air could scare people. It is simply not accurate.

The Minister for Citizenship in her intervention suggested I was trying to pit different groups within society against one another. I resent that kind of reference to my comments. It certainly was not my intent. But I want to say that is an old tactic, certainly an old tactic on the part of the Liberal Party, on the part of the NDP, where they get up and charge someone with doing that sort of thing in an effort to intimidate us, to keep us shut up so we will not raise issues like the re-laying of charges against Constable Simpson, very much a typical socialist move.

The Attorney General had every opportunity to get up in this House and address this matter. He knew what the public concerns were; they were reported in the press. The suggestion that he was caving in to pressure from certain groups within Metropolitan Toronto: He had the opportunity to address that; deny that and show that, if indeed he was responding to those kinds of pressures, there were valid reasons to do so, but he refused to take up that opportunity.

So I think that I, as an elected member who is genuinely concerned about what is happening in respect to public safety, have to raise those issues in this House.

Mr Cousens: I just have to say before I begin my remarks that I appreciate the leadership that has been given by our own critic for Solicitor General, the member for Oakville South. The member, in his presentation, has touched on a large number of the issues that really need to be addressed in this House.

I also recognize and value the comments made by the member for Simcoe West. In his own riding, in Collingwood and Alliston, he recognizes there are serious problems undermining the work of the police services and he really has to address them and has, I think, tabled a number of excellent points for consideration by this House.

I just cannot believe how the member for Leeds-Grenville opens up an issue and everybody starts attacking him for it. I really think that when we come into this House there should be an opportunity for every member to speak to his or her mind and openly and honestly table the issues. I have to say that from my perspective I have seen him doing that for the last 10 years in a very eloquent and clear way. I think the people out there who have elected him expect to have continued leadership like that in the future.

Maybe we should all take a lesson that the people here in the province of Ontario are looking to us as legislators for leadership on the whole police services issue. They do not want us just to come along and take sides and, "Oh, I am on this policeman's side or that side or I am in the—" They, we are on the side of justice and right and truth. We know that when we have a strong police force—but that is not being said by the socialists. We are not hearing that from them.

We are seeing the New Democratic government of Ontario, by its actions and by its lack of comment and commitment to it, indicating that it does not have that sense of urgency behind law and order. That has to be one of the fundamental concerns of everybody in this province. They want us as legislators to break down the partisan walls that separate us and stand up together and say we are in favour of what is right for society, that we have a strong justice

system, that we are going to build a justice system that is going to defend the rights of all people in this province. That is what has to happen here and throughout the province as a whole. So when we have a police services board we are there, through them, allowing the public to be continually reflected in the service that they are being provided, the sense that there is someone there who cares about them. We care, and the people in the province of Ontario want to know that once we are elected we have not forgotten about law and order.

That is where the member for Leeds-Grenville has been coming from in his presentation. He cares an awful lot, and I thank him immensely for that kind of leadership. That is what we are looking for from the Solicitor General and this government. Let's not just have empty words. Let's have some sense of being behind this process.

I cannot believe there has not been a real outcry of people having a sense of worry about the police forces across this province. First of all, we are seeing an exodus of Metro Toronto Police officers leaving the Metro force, and I am seeing it in my own York region area. It might be happening in other areas, but I do not have enough data to substantiate that.

The fact is that on 7 February the recent statistics show that 70 police officers left the Metro Toronto Police Force to work in other parts across the province, compared to 44 last year, to 26 the year before, to 13. The number of people who are leaving the Metro Police Force is increasing.

Come on. We cannot continue to have that: these men and women, experienced in the law, experienced in the administration of it, just allowed to slip away quietly. Come on. We need to be there to understand that there are fundamental reasons that are undermining their confidence in the system, and we have to help rebuild that.

That is part of the reason why our legislators supported the police services boards, so that there would be a group out there that would say, "Hey, look, we understand there are needs of the police force, but also of society," and keep them in balance in harmony, and where there are problems, then they will be dealt with.

Instead, this government, through the kind of appointment process to the Metropolitan Toronto Police Services Board, has given another kind of message to the police force. They have said, "We are going to appoint Susan Eng."

I do not know Ms Eng except through things I have read in the media and seen on TV, and also because she has seemed, according to my understanding of things, not to be supportive of the defend-and-protect role of police people. If that is the case, do we now have someone in charge of the Metropolitan Toronto Police Services Board who is, in fact, not going to be there to help make it a stronger force and a stronger society?

I do not want to hold the police force up against society. The two have to be weighed out and balanced out together. But if they have got someone who is now running the Metropolitan Toronto Police Services Board who does not embody the same concerns, the same empathy, the same sense of balance that is wanted for this, then what they have done is self-destruct that services board as it

affects the police services delivery in the Metropolitan Toronto area. That is a concern and a problem.

In politics there is one lesson that we learn very quickly, that perception is reality. If it is perceived that the board is weak and it has been weakened in its role and its delivery of services not only to the public but to the police themselves, then is one in fact destroying the delicate balance that takes place, where they are saying, "Hey, we want to have all the facts and all the information."

It is the sense, rightly or wrongly, but it is the perception that comes with the appointment of Susan Eng and the special dispensation that was given her in not having to swear an oath to the Queen, and the surrounding circumstances of her services or lack thereof, or the type of service.

Again, I am having to deal with the perception that I have, along with anyone else who has watched the Toronto scene, that this is not one who really takes into consideration the kind of things that a John MacBeth would have had when he served on the police commission, an outstanding Canadian who had served as Solicitor General, who had served in government, who had served in local politics, who was proven and known. Now we are having people appointed to major positions, where there is a suspicion attached to them.

That is the worry that I have around the appointments. Let there be no doubt that when people who are appointed to a position of any kind, if they are there and embody all the best that society has to bring, then there will not be a cloud of suspicion that surrounds them. That is the perception around the appointment of Susan Eng.

It is also the perception around other appointments by the New Democratic government where, in fact, it would seem it is making a wholesale effort to appoint certain kinds of people who are either card carrying members of their party or who are active—

Mr Hope: Cheap shot.

Mr Cousens: Cheap shot, says my friend.

Mr Hope: You were doing an excellent job up until then.

Mr Cousens: Right up until when I lost you, eh?

The Deputy Speaker: Order. Will the member for Markham please address his remarks to the Chair.

1640

Mr Cousens: Well, when you lose one listener and there is only one listening to you, you are in real trouble.

Mr Johnson: I'm listening.

Mr Cousens: Oh, there is a second one.

Here is the problem we have got. It is the perception of the appointments process. When it is flawed, it flaws the whole system to which that person is then attached.

I challenge the government, I challenge the Premier and the ministers, who have such great responsibility to keep this province strong, that when they are making appointments, they make every effort to see that the people who are there are ones who are going to have that kind of character and integrity and the ingredients and the background that are not going to cause any suspicion or any cloud or any worry; that the perception that will be carried

from their appointment will be one that is positive and good.

We have got to do something within the police services board to give encouragement to our police. I just cannot believe the number of Metro officers during the past year who risked their lives, when men and women go out in uniform or out of uniform. We saw this with the recent incident in Toronto where a Metro undercover officer was shot and is still recovering in hospital. In fact, if he is watching, may I wish him well. Constable Dee I think is his name, and may he have a full and complete recovery. Certainly in this Legislature we respect the kind of service that he has been giving. With the fact that he had to be injured while in office, he certainly will go down as one of the courageous officers who has served our community when the list is made up for 1991.

But look at some of these people: Constable Dennis Yueng was savagely beaten and told he was going to die when robbers of an Asian gaming room found that an undercover officer was present. In fact, a gun was shoved in his mouth and fired but did not discharge. That is the kind of thing that could happen when an officer goes out to work.

What are we doing about it as legislators? I think we have to say: "Thank you for being there. How terrible to go through it, and may the police services board have a sense of understanding of the kind of danger that you are living with."

Constable Rudy Besser had a gun held to his head by a bandit who crept up behind him. Besser turned around and fired two shots first.

Mr Stockwell: Rudy Besser? I went to school with him. I played hockey with him.

Mr Cousens: The member for Etobicoke West went to school with Constable Besser. Here is another person who has to stand tall in our society.

Constable John Dorey chased Asian youth gang members he spotted with meat cleavers and guns. He was fired on but was saved by a bullet-proof vest. That happened last year in Toronto.

Constable Anthony Kanapa helped trap a gang of heroin traffickers and a price was put on his head. His life is still in danger.

Constables David Malcolm and Angelo Peruzza squashed a burglary ring when they spotted a stolen car. Their lives were in danger since they found four guns and \$200,000 in jewellery. They later recovered four stolen cars.

This goes on and on, where our society is protected by a large number of people who are not as recognized as they should be by society. Hopefully, through the police services board, we will find a way in which society will begin to work with police forces.

Through our own efforts in the last number of years—in fact it was my own private member's bill back in 1981-82 that brought in support from this Legislature for the Neighbourhood Watch program. Neighbourhood Watch is now something that we have in many parts of the province where neighbours look out for the interests of the whole

community, and if they see something that is suspicious, a person they do not recognize, a person they do not recognize, they have a system of calling the police and then helping the neighbourhood protect itself.

We have also had a way within our community of having the Block Parent program, another community involvement, where the community is saying, "We want to help the police process so that we as a community are not saying it's someone else's responsibility; it's the man in blue who has to do it." No, the community is saying, "We owe it our own children and our own community to have a strong Block Parent program."

In fact, on that issue I know that the Block Parent program is in real difficulty right now in not being able to find sufficient volunteers to keep that program going. There are many people in this province who do not understand it, and it is an issue in which the Solicitor General could have a very important role to play in giving extra support to the Block Parent program so that when September comes along, more and more people from our communities will begin to say, "I want to get involved with Block Parents." It does not just happen. It will happen through the help and support of every member in our Legislature, through our newsletter to our own constituents, and it will also involve our own Solicitor General saying, "Here's some funding to help these organizations," such as Block Parents, such as Neighbourhood Watch, which really could not exist without that extra support and financial assistance that can come from the ministry.

What we have to do is make sure it is not an us and them relationship between the public and the police forces. When we established the police services boards, there was a sense in which there would be some kind of working together of the community and the police forces, and I do not think we are doing it well enough. There has to be far more involvement by the whole community in the sense of saying that when we are together as a community and someone feels vulnerable or attacked by the system, we have methods by which the community can then dial in to a committee or a group under the police services board or under the police itself to say: "I have a problem. Here's how I want it dealt with."

We have within our own region a tremendous effort being taken by York Regional Police to involve the community as a whole. Though I am complimentary of it, it is not going far enough, because there are still people out there who have come from other countries and are immigrants in this country who still do not think the police are there to serve them and to help them. Maybe they feel threatened because in other countries, if a knock on the door came at night and it could have been a policeman or a policewoman, it was not going to be a pleasant call. Today we have a sense that we should be helping them understand the role of all the police in all our community.

I am concerned that if we do not begin to work together as a society, there are many forces that will undermine the strong society we want to have. There is no doubt that the business of drugs is a very fierce, competitive business, stealing the lives away of young people and of people of all ages.

The Deputy Speaker: Order, please. I listened to you very attentively, and I have also read the amendment to the act. I would suggest that you stick to that.

Mr Cousens: I thank you, Mr Speaker, and it ties into the role that these people will play when they are appointed to the police services board. When they are appointed to the police services board, they will then have a chance to not only accept the appointment and the compensation that goes with it, and also the kind of special attention that it gives them from the province, I want to make sure that they understand the role they have to fulfil once they are on that board. That is certainly part of this bill, and that is why I am going into the community relationship for which the police services board was originally established, so that there is that working through into the community. That is what I am talking about, and I think that is very relevant to the bill.

If I may, I would like to make just a few more comments in that regard. I know there are other people who want to speak on other bills, but the fact of the matter is that we have an opportunity in this House to show leadership on the delivery of police services in this province. That has to be a challenge we all fulfil, and may it be a challenge that goes beyond just the working through of definitions of responsibility. When we have that chance as leaders in our own community, may we make sure that we are breaking down the walls that separate people from the law and that we build into our society a greater sense of respect for law and order.

The system is flawed now, when the government makes flawed appointments where the perception then becomes that the appointee to a police services board is not necessarily the right person. That in itself is undermining a very good system. I challenge the government to review how it is doing these appointments so that when it does make them it is choosing the best of society, for the best of reasons, so that we can continue to build an even stronger society for all generations to come.

1650

Mr Hope: Just dealing with some of the comments of the member for Markham, he made some very good points at times until he got on to the partisan issue. I think he brings out some very important points, talking about the policewomen and policemen of the province. My father-in-law was a retired OPP officer, which I am very proud of, but everybody seems to forget, when they look at the boards in themselves, there is also the family that is involved, the working stress.

We talk about the service boards being in place before and how positive that was. One of the unfortunate parts is that most of the time the workers have to go to arbitration just to get collective agreements in place to be compensated for those moneys they are well deserving of. As they talk about how well it worked in the past, I think there are more things we have to concentrate on.

As I listen to my father-in-law—it is not too often we listen to one another, but we do—he raises some very good points. I also listen to his wife, who raises a number of concerns, such as a single parent raising children. We must

make sure we address those concerns and the general public as a whole will fall in line with the police services of the province and of small municipalities.

Because of the issue that has been raised in this province about tax revolts, the unfortunate part is the reforms, or whatever we want to call them. I think there was also something of the Conservative Party that talks about taxes. They have put a lot of pressure on small communities dealing with the issue of police services in those small communities. They talk very well here, but we have a lot of problems in our small communities and dealing with service boards in the past. I think some of the issues have to be addressed in the future to make sure a positive approach is there.

Hon Mr Wildman: I just wanted to say to the member how much I enjoyed listening to him and realized that finally we were going to deal with the issues. He is requesting that the member for Cambridge act as Solicitor General, a position of leadership in this province. It is good that finally the opposition recognizes the kind of work the Solicitor General can do, and is behind him every inch of the way with regard to the support of the policing in this province.

Mr Cousens: I thank the member for Chatham-Kent for his comments because he brings a perspective to the issue. It has to do with the delivery of the services to the police forces themselves. You cannot just come along and say, "Hey, we're going to back you up philosophically." There has to be a financial commitment as well to those people out there. As they get into salary negotiations and have a constant feeling of stress that they are not being fairly treated, we have to make sure those situations are addressed fairly, honestly and openly.

Sometimes we have tried to push those things under the carpet and said, "Hey, you're doing a good job out there," and then did not come back to make sure their grievances and concerns, the time they are spending away from their homes, the stress and the other problems that come out in their own personal lives, were held in balance. They have to be in balance as well so that we are not just taking all the time. We have to give back to them their fair share. It has to do with establishing priorities for the government, and for all of us to understand that our society can only be strong when we reaffirm and strengthen the fundamental values that make it strong.

I think the member raises another point: how the families of the police forces worry, their time alone, the time when their loved one, be it father, spouse or whatever, is away and working. There is a sense of dedication that has the worry to it of what will happen to them. Let's not forget they are part of the issue. I think they need to have the encouragement from us as well that we are standing up for them, that we believe in them and that we appreciate what they are doing to help make it a strong society. The member for Chatham-Kent and I do not agree on some things, and that is probably what makes this a better place.

Hon Mr Hampton: I only want to make these comments in wrapping up. The members should all appreciate that the purpose of this housekeeping amendment is to tidy

up the act so that we will not be wasting time and money that could otherwise be better spent on duplicating hearings of police boards of inquiry. For some of those members who want to see a dedication of more funding toward community policing and to policing in general, this act will to some extent enable us to do that, because it will guard against the possibility that we may have to duplicate police boards of inquiry due to a problem in the act. I thank the members for their comments and for being mercifully short.

Motion agreed to.

La motion est adoptée.

Third reading also agreed to on motion.

La motion de troisième lecture est également adoptée.

MORTGAGES AMENDMENT ACT, 1990

Resuming the adjourned debate on the motion for second reading of Bill 40, An Act to amend the Mortgage Act.

Mr Harnick: The Mortgages Amendment Act, Bill 40, is an act designed to protect tenants in the event that mortgagor defaults on a mortgage, and a mortgagee becomes in effect the landlord for the tenants remaining in the demised premises.

We have to understand that there are several different types of rental accommodation. We have large, multi-unit buildings, single-family homes, duplexes, fourplexes and basement apartments. This act causes me some considerable concern in that it affects a landlord's ability to look after maintaining the premises he has by way of mortgage money.

It also affects the availability and supply of affordable rental housing and affordable homes. It is not just confined to availability of rental accommodation; it is the ability for a person to afford a home that is affected by this act. This act, although laudable in some respects, should not have anything to do with single-family or single residential dwellings, which I basically classify as single-family homes, duplexes, triplexes, fourplexes or basement apartments.

This bill is making a lender of money for mortgage purposes reluctant to lend that money. It is putting the onus on the mortgagee that he may become a landlord and may have to comply with the Landlord and Tenant Act in the event that the mortgagor, who is paying him, defaults on the mortgage. In many cases he has not gone looking to get into this situation and has not lent money to a mortgagor expecting to end up in a landlord and tenant situation.

I know the Attorney General has been provided with some very detailed information about this bill and about how it could be made better. One of the entities with concerns about this bill is the Canadian Bankers' Association. I would like to review a letter of 3 April 1991 addressed to the Attorney General, expressing these concerns and pointing out a few of the difficulties that the association sees with this bill.

It is concerned that the bill deals with single-family homes, and it believes an exemption should be made for single-family homes that would include a house containing up to three subsidiary units. I might add that there was a

ce in one of the Toronto newspapers a short while ago indicating that there were 14,000 basement apartments in the city of Scarborough alone.

Mr Stockwell: And all illegal.

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Mr Harnick: They are illegal, but that is not why I point this out. Why I point this out is that those 14,000 apartment units supply an awful lot of affordable housing. If mortgagors cannot get money to buy those homes and rent those apartments because mortgagees are affected by this act and do not want to permit the mortgaging of premises which in some way will be used by a tenant, then those 14,000 units could become non-existent, and that is a tragedy in Scarborough.

I put it to everyone here that we probably have more basement apartments in North York, more still in Toronto and probably an equal number in Etobicoke. If we take just those cities alone, we probably have somewhere around 100,000 or 80,000 affordable units of housing that could be affected in a detrimental way by this act.

The Canadian Bankers' Association goes on to say:

"A mortgagee in possession can only give the 60-day notice of termination to a tenant when a binding agreement of purchase and sale has been entered into with the purchaser. Under Bill 40, tenants can reside in a single-family home for many months following the mortgage default, depending on the difficulty that the mortgagee and the home owner encounter in selling the property. The opportunity to give the notice and take vacant possession should not, however, be restricted to circumstances where a binding agreement of purchase and sale has been entered into. This deprives a mortgagee in possession of the option of selling a home in a vacant condition. This will disadvantage mortgagors and mortgagees in circumstances where the sale of a vacant house can secure a better price than the sale of the house when occupied.

"The amendment also restricts the ability of vendors and purchasers to arrange closing dates on house purchases. The provision will seriously inconvenience purchasers who require vacant possession on closing within 30 days of the date of the agreement of purchase and sale. This 60-day period following the agreement seems particularly unfair to purchasers if the tenant has continued to reside in the house for several months while the mortgagee tried to sell the property."

The bankers' association has some considerable concerns about termination of the tenancy. Section 51 of the Act makes reference to a notice of termination under section 105 of the Landlord and Tenant Act. Section 105 of that act provides that a landlord must provide 60 days' notice "where a landlord...requires possession of residential premises, at the end of (a) the period of the tenancy; or (b) the term of a tenancy for a fixed term." The proposed subsection 51(4) of the Mortgages Act, on the other hand, provides that the 60-day notice of termination is effective regardless of any fixed term of tenancy." The bankers' association states that in its view, subsection 51(4) would be improved if the words "notwithstanding section 105 of

the Landlord and Tenant Act" were added at the beginning of the provision.

The other concern that is expressed by the Canadian Bankers' Association is that of monitoring. It states that the bill should be amended to require a mortgagor to respond to a mortgagee's request for tenancy information at any time, not just when default occurs.

Essentially, what they are saying is that a mortgagee should always have the opportunity to ask and find out, if the mortgagee so desires, what the rental condition of the premises might be. Is there going to be a tenant there? Surely a mortgagee is entitled to know that before advancing money on a mortgage. As a result of Bill 40, information about possible tenancies will be of great importance to mortgagees. Only by obtaining this information will mortgagees be able to accurately assess their ability to realize upon mortgaged security in the circumstances of a mortgage default.

The bill provides no assistance to a mortgagee in its task of monitoring whether mortgaged property is being used as residential rental property, and this impedes the ability of the lender to protect the value of the loan asset. This concerns me because essentially this bill provides a situation where the mortgagee is deliberately left in the dark. There is a built-in ability to hide information from the person who is loaning the money so that the single-family residential home can be purchased in the first place. The very idea that information can be sanctioned to be hidden is very unpalatable.

The bankers' association recommends that the bill provide a statutory obligation on mortgagors to provide the information about the existence of residential tenancies when so requested by a mortgage lender, and that is not something that is unusual.

Hon Mr Pouliot: Bankers would think this, Charles.

Mr Harnick: The Minister of Mines is saying, "Well, that's something that typically a banker would say." I put it to the Minister of Mines that if he were loaning money on a property so that someone could afford to purchase it, and if he were taking a mortgage back, he would be very concerned to know everything he possibly could about that property so that he would be sure his interest in that property was protected. That is just obvious; it is basic common sense.

This has nothing to do with just a bank loaning money. This has everything to do with a private investor who is loaning money so that people can afford to buy a home. All this is doing is saying, "Please just tell us whether you're going to be renting out the premises or not." That is all it says. There is nothing heinous about that. There is nothing sinister about that. It is just a basic distrust that this government has about people who enter into the commercial world and run a commercial enterprise.

Another very significant area that the bankers' association points out to the Attorney General is that Bill 40 contains transitional provisions that apply the legislation retroactively to mortgagees who become mortgagees in possession of residential premises on or after 26 January 1990. As of that date, a mortgagee in possession is required

to give notice of possession according to the Landlord and Tenant Act. As of 20 December 1990, this requirement also applies to residential premises that are single-family homes. The amendments will apply to existing mortgages, thereby changing the terms of existing mortgage agreements. So in midstream, under contract, where people have contracts between one another, those contracts are going to be changed.

Loans that have been advanced by mortgage lenders on the basis of one set of risk factors will be retroactively affected by new risk factors imposed by the legislation. This is especially serious where a lender has lent funds on the security of a single-family home only to find that the home does not qualify as a single-family home under the legislation.

1710

Bill 40 will have a significant impact on mortgage lending practices. For this reason, the legislation will require lenders to train staff and develop new lending procedures throughout their branch systems in Ontario, and banks and other financial institutions will require a reasonable period of time to implement these changes.

The Canadian Bankers' Association strongly recommends that Bill 40 come into force only on proclamation and should apply only to loans made after the day on which the legislation takes effect. This would provide lenders with the time necessary to adapt to the new lending environment created by the legislation and to ensure its orderly implementation.

This legislation is going to affect the supply of rental property. It is going to affect the ability of landlords of rental property to obtain mortgage money to maintain their property. Even more so, it is going to affect the ability of individuals to go out and purchase affordable homes, because they are going to say, when they have to present that mortgage application to either the institutional lender or the private lender, whether they are going to have to rent part of those premises to be able to afford to make the mortgage payments.

When they say, "I plan to put an apartment in my basement and I plan to rent that apartment out so that I can afford the mortgage," the mortgagee is going to say: "I don't want anything to do with this loan, because if you happen to default on your mortgage then I will be a mortgagee in possession. I will not be able to sell the property with vacant possession, and therefore I will not extend the loan for your mortgage."

So this bill has a detrimental effect in the instances where we are dealing with single-family residences. I do not have any qualms, and no one in my party has any qualms, about protecting tenants in the situation where a mortgagor defaults. It is quite obvious that you cannot have a mortgagor default on a mortgage and allow a mortgagee to come in and throw everybody out of the building.

There is no question that this aspect of the bill is supported by our party. What we do not support is the fact that the government is hurting innocent tenants, innocent landlords and innocent home owners by not distinguishing—

Hon Mr Wildman: Innocent banks.

Mr Harnick: Yes, and banks as well. Banks are lenders, as are private lenders. The government is affecting a lot of those people by including private residential homes in this legislation.

Essentially, a person who becomes a mortgagee in possession of residential premises is deemed to be a landlord and is subject to any existing tenancy agreements and to the provisions of part IV of the Landlord and Tenant Act. The mortgagor ceases to be the landlord; the mortgagee is required to give notice in writing of the change in the landlord. That is set out in sections 45 and 46.

A mortgagee may require a tenant to pay the rent to the mortgagee on or after default under the mortgage, after the mortgagee serves notice on the tenant. It is not clear whether that notice is the same notice as the notice of the change of landlords. The mortgagee is given certain rights to inspect the mortgage premises, to require production of tenancy agreements and to obtain particulars of the mortgagor's tenants, all of which rights can be exercised at any time after default and notwithstanding section 40 of the Mortgages Act.

I said earlier, why are we hiding the particulars of tenancies in single-family residential homes, and not providing a mortgagee, who after all has lent money in good faith, the opportunity to find out about tenancy agreements before he advances the money? Why are we allowing a system that hides information?

The mortgagee is given certain rights to inspect the mortgage premises and to require production of the tenancy agreements, but only after default. The mortgagee may apply to the court for an order requiring compliance where the mortgagor or the mortgagor's tenants do not provide the information and documents requested. However, such conduct by the mortgagor or the mortgagor's tenants is not an offence under the act.

The mortgagee of a single-family home, not a duplex or a triplex, that is subject to a tenancy agreement has the right to obtain possession on behalf of a purchaser who undertakes in writing that he requires the home for the purpose of occupation by himself, his spouse, a child, or a parent. The mortgagee in possession may, on reasonable notice and at reasonable times, show to a prospective purchaser a single-family home that is tenanted.

One cannot help noting that some of the provisions of this act are vague and ambiguous. The court is charged to make an order requiring compliance which appears to be in the nature of a mandatory injunction. Why not simply impose such penalties for breach as the mortgagee faces? Again, the court may vary or set aside a tenancy agreement, but the judge shall have regard to the interests of the tenant and the mortgagee. Is the court going to become another rent review board when being asked to decide what to do with the sweetheart lease to the mortgagor's brother? How is the practice and substance of the writ of possession, which speaks to the land and building irrespective of the occupants or defendants, to be modified to accommodate this new method of taking possession?

As I referred to earlier, one of the most obnoxious provisions of the legislation is its retroactivity to 20 December 1990 in the case of a single-family home and to 26

January 1990 in the case of all other residential premises. Hopefully mortgagees who have evicted the mortgagor's tenants under writs of possession lawfully issued and executed under the current law will avoid liability for fines because they did not become a mortgagee in possession before obtaining possession of the residential premises pursuant to such writs.

I do not plan to belabour this issue, but I do point out that the subject of mortgages is difficult and complicated. I know the Attorney General studied mortgages in law school, and I know that his experience with mortgages would attest to that. I merely point out, as I indicated earlier, that the aspects of this bill that deal with multiple residential tenancy properties are laudable in the main.

I urge the Attorney General to consider making exceptions and being amenable to amendments dealing with single residential tenancy properties.

I will be asking that this bill go to committee of the whole, and I will be proposing certain amendments dealing with residential single-family dwellings. I hope that the Attorney General will instruct and advise his party members about the intent of those amendments and that he himself will consider them, because, as I said earlier, when we are dealing with those single residential units, to affect the ability to obtain a mortgage on those units is going to affect the ability to maintain those units for tenants.

It is also going to affect the ability of a person who wishes to purchase a home to obtain the mortgage financing he is going to need either from a bank or privately. If a lender finds out that a tenant will be using the property and occupying part of the demised premises, then the lender assumes a greater risk because of this act, and a lender will not want to advance mortgage moneys in that circumstance. The person who needs that tenant living in the apartment in the basement is not going to be able to get the mortgage money, and if he has to have a tenant to pay that mortgage, he is really met with a catch-22 situation.

I would urge the Attorney General to consider the amendments I will be proposing. I would urge him to consider bringing forward amendments of his own based on some of the legitimate information he has been provided with dealing with the single-family residential premises aspect of this bill. I urge the Attorney General to certainly consider that aspect because I think legitimately the bill can be made better.

20

Mr Elston: In the absence of our critic, I rise to indicate that some of the items which have been reviewed by the member for Willowdale were of concern to us as well. At one point this bill was introduced in another form, as I recall, and there has been—

An hon member: In another world.

Mr Elston: —in another world. As the world turns, sometimes legislation takes a different turn, as it were, itself, and here we find the issue of the single-family residence, of course, has been introduced into the legislation. From a lot of perspectives it causes a certain degree of concern because—as has been indicated not only by the member for Willowdale but also in a more indirect manner

by the member for Etobicoke West through his out-of-order but timely interjections from the sidelines—it directly affects the willingness of the market to provide some investment opportunities with respect to money needed for people to purchase houses.

We are concerned that there are difficulties inherent in introducing that because it complicates the acquisition of affordable housing in a way which sometimes is probably not helpful to a lot of people these days. While we see the drop in the interest rate that has propelled a new series of housing starts which, from my perspective anyway, is a positive sign for the province, it none the less means that as you complicate the arrangements required to obtain the necessary financing, you again begin to dampen the enthusiasm in the market.

It is interesting, of course, that we view a market economy as essential to the wellbeing of Ontario. We view the necessity of establishing very firmly a need for a market economy to remain as able as it can to generate the activity required to keep our economy—to in this case generate more activity. We see some problems with this bill introducing new complications that might stifle the developments along that line.

Other parts of the bill are quite clearly the work of a previous administration, our administration, and we had brought them to deal with certain problems which had been well known, to concerns well shared in this House before the election of 6 September. For that reason, of course, we support the bulk of it with the concerns which have been expressed about single-family dwellings being added.

That perhaps is sufficient for me to indicate to the House where our party is in relation to the bill. I understand this will be referred to committee of the whole House. If my understanding is correct, that will give some time for others in our party to make some comments with respect to other sections which are of particular interest to them.

I wish to congratulate, even briefly, the member for Willowdale for his analysis, as he has taken us fairly well through a good number of the sections.

We do not always agree with the members to our left, philosophically right, but on occasion we do appreciate the amount of work they have done to analyse, from their point of view, the issues. In this forum the important item is always to raise the issues for consideration, not necessarily to underscore agreement in each case, but to allow the people in the province to understand full well that while the issue is raised there is debate around the critical elements of the issue and that at one stage or another a vote finally determines where the House will fall on any particular item.

I very much respect the work of the member for Willowdale and I look forward to committee of the whole House deliberations which will allow us to do a few things with clause-by-clause.

Mr Ruprecht: I appreciate the research done by the member for Willowdale. He should be congratulated for what he has done for all of us who look at this bill in great detail.

When the Attorney General makes his comments, I would especially like to know what he thinks about the retroactivity of this bill, which goes back to 28 December 1990. I am wondering if the Attorney General is able to tell this House, when he makes his comments, whether a number of people are going to be affected by this immediately. Perhaps he can tell us how many people this bill will affect from 28 December 1990 until today. If he could possibly make those comments I would very much appreciate it.

Once again, I want to thank our own member for Bruce and the member for Willowdale for the research he has performed because I think this will help all of us to make this a better bill.

Mr Tilson: As I understand it, the intent of the existing law is that if you are a mortgagee who has gone into possession of property for any purpose whatsoever and there are tenants on the premises, they can be evicted immediately, as opposed to the obligations of a landlord under the Landlord and Tenant Act.

I understand the intent of the legislation and, as the member for Bruce has indicated, the previous government announced it would change this rule effective in January 1990 to essentially resolve the fact so that mortgagees in possession would be bound by eviction rules as applied to landlords.

However, as I understand it from the previous announcement by the Liberal government, this proposal would not affect the rights of mortgagees of single-family homes with no tenancies at the time of the mortgage. I do not believe the previous legislation went this far.

The policy reflected in this current bill now before the House goes far beyond the announcement of January 1990, and applies to all the rights and obligations of the Landlord and Tenant Act to mortgagees in possession and tenants of the mortgaged premises. It extends to residential premises including the single-family homes.

1730

Ms Poole: I am delighted to make some comments on An Act to amend the Mortgages Act. As my colleague the member for Bruce has pointed out, this legislation in another form was actually introduced in this House almost a year and half ago. The legislation is designed to protect tenants whose landlords default on mortgage payments.

I do not know if any member of this House has ever had a building in his riding where the landlord has gone bankrupt, but I can tell them that there are very serious ramifications. This act provides that mortgagees who take possession of residential rental property will be bound by the residential tenancy provisions of the Landlord and Tenant Act as they pertain to evictions, and certainly that protection will be very valuable in the days to come.

In the absence of these amendments, mortgagees would be entitled to evict tenants whose leases were entered into after the date of the mortgage, and the amendments will prevent eviction without cause and will give tenants the normal security of tenure.

The Liberal Party certainly supports the measures in the legislation. They were important then, and in fact we

believe they are even more important now. Therefore we will be supporting this legislation on second reading of the bill.

As my colleague the member for Bruce has indicated there has been an addition to this legislation. The NDP has added a provision to the legislation respecting tenants in single-family homes. This is, I believe, going to be problematic. I was somewhat surprised this amendment was actually added to the act, because as far as I am aware there has not been a very large problem with tenants in condominiums or single-family residences being unfairly evicted when the owner defaults on the mortgage and the new landlord, whether it be a bank or a property development company or an individual mortgagee, exercises its legal authority to terminate the rental agreement. We really have not seen that as a problem. I am sure in clause-by-clause, as we go into the committee of the whole House, that will be debated further.

I know that the Federation of Metro Tenants' Associations has been very supportive of this legislation over the years. In fact, I know they had regular contact with the former Attorney General, the member for St George-St David, and their input was key in the Liberal announcement of this legislation last year. Certainly the tenant movement will be very delighted to see this protection added and will commend the NDP government for continuing with this initiative.

This legislation would be worth while in the best of times, but I think it is particularly relevant that we finalize the legislation as expeditiously as possible, given the current financial and economic climate. With the growing number of bankruptcies, this is indeed going to be a problem and a very real one, so the sooner tenants of this province have that protection, the better.

In conclusion, I would just like to say that we will be supporting this legislation and that we in the Liberal caucus feel it has much to commend it. I say that not because we introduced it, although that is a very strong motivation, but also because I think it is good legislation. I look forward to continuing the debate.

Mr Tilson: As the member for Willowdale has indicated, our party certainly supports the general intent of the legislation, with the exception of the fact that the legislation extends to all residential premises, which of course includes single-family homes, which in turn includes condominium units. It is for that reason that the member for Willowdale will be introducing a proposed amendment for the committee to consider. We feel it causes a great many problems, and I am not going to repeat the well-thought-out and well-presented comments of the member for Willowdale.

Although this is a bill that has been presented by the Attorney General, it does affect the overall issue of housing in Ontario and the philosophy that is being put forward by this government, and specifically the lack of confidence that has been created in the investment community. We have seen it in Bill 4. We are starting to see it in the new permanent legislation, Bill 121, that was introduced this week.

I think that with this lack of confidence there are going to be more and more individuals, more and more financial institutions, more and more lending institutions that are going to be more and more reluctant to invest in the housing stock of this province. Bill 40 is another example that is going to create that hesitancy in Ontario. I believe this is one more way of tightening the noose, as far as the investment community is concerned, with the housing stock in Ontario.

I believe, and I have referred to this certainly during the Bill 4 debate, that we need private housing in this province, that we need private investment in housing in this province. Bill 4 and Bill 121 have had a major effect in shattering that confidence, and Bill 40 certainly will not help. Why invest in the building when your rights to possession as a mortgagee are going to be jeopardized?

I am referring specifically to the single-family unit, the house, as opposed to the multiple dwelling, because there may be a tenancy agreement that may be unpalatable to the mortgagee, that the mortgagee may know very little about, that it may have been created after the owner purchased the house or put financing on the house, and if the mortgagee ends up acquiring that house through power of sale proceedings or foreclosure proceedings or some other means, it will be very difficult for him to protect his investment.

I believe investors in this type of housing stock will say, "Why commit ourselves?" They will take a second look. They will make it more difficult for individuals to obtain mortgage financing on their property for renovations, for improving the capital structure of the building to buy or resell their property. It is going to be a problem that mortgagees are going to look at and take a second look at, and I would ask the Attorney General to consider the proposed amendment that is going to be put forward by the member for Willowdale.

In looking specifically at section 45 of Bill 40, reference is made to obtaining title by foreclosure or power of sale, so I assume, although it is not clear—I hope the government will take a second look at the interpretation of this—that it applies to a mortgagee in possession. Does it apply to a mortgagee who forecloses, has title vested in him or her or it, or does it apply to a purchaser in a power of sale proceeding? That section does not refer to that. I would hope that would be dealt with in the committee and perhaps that section could be cleaned up.

It seems to me that government legislation such as this, although the intent is to protect the tenant—I understand that, because certainly a tenant should be treated equally in these types of ventures. But in trying to protect the tenant, it may result in being unfair to those it was intended to protect, including the tenant.

40
I believe this entire matter should be reviewed, because all parties must be considered; otherwise all parties may suffer—this was referred to by the member for Willowdale—both tenants and landlords, because no one will lend on the security of rental property so that it can be repaired. It may well be that mortgage financing will be required to improve the quality of life of a tenant, to repair

the building, and mortgagees will take a second look at investing in the single-family house because of this difficulty.

The other comment that I wish to refer to, and again I am referring specifically to how it applies to the single-family unit, is that over the years our system has developed in foreclosure proceedings and power-of-sale proceedings. If a mortgagee wants to sell, for whatever reason, whether through power of sale, foreclosure or simply acquiring possession, he has to sell to someone who is going to have to live there himself.

That is pursuant to section 51. That section states you need to obtain the purchaser's undertaking in writing. "The person described in subsection 45(1)"—and that was the section I just referred to—"shall obtain from the purchaser an undertaking in writing that states that the purchaser requires the single-family home or any part of it occupied by a tenant for the purpose of occupation by himself or herself, his or her spouse or a child," and it goes on as to for whom this must be obtained in writing. You must serve this on the tenant, along with the notice of termination, at least 60 days in advance of the termination. If the tenants do not move out by the termination date, you will have to bring an application to evict them.

That whole process will take anywhere from a minimum of 30 days to probably a maximum of at least 60 days. I cannot conceive of any purchaser signing an undertaking 60 days ahead of time in the hope that the deal will close because the tenants are going to move out. If you are a purchaser, you want to move into the place. You are going to sell your existing home. You are going to move into a new home. You are going to sign an undertaking in the faint hope that the tenant will vacate the premises in 60 days and that the deal will close because the tenants will then move out and it will not be necessary to bring an application to evict them; if they do not, the owner will have to make an application to evict them.

It is going to cause a great deal of difficulty in the commercial real estate world of purchasers who want to buy property. They are going to stay away from these types of properties. They are going to be very reluctant to buy them, so the practical effect, I believe, is that it will make it impossible to sell the property except as rental property. That may be the real intent of this government. That may be what they are really trying to do, so that the only way you can sell this type of property is as rental property.

Most transactions today that go through power-of-sale proceedings are put through very rapidly. Agreements of purchase and sale are prepared and closing dates are set forward. Most purchasers are looking at a bargain. They want to buy and move in quickly. That is how the system works. It is not going to work that way any more because of the reluctance of purchasers to sign these types of agreements.

I ask that the members of the government listen to the member for Willowdale when he puts forward his amendment at the committee stage. I do not think the government has really thought that problem through, nor the havoc it is going to create in the real estate world.

Ms Poole: I am very pleased to hear that the member for Dufferin-Peel supported the Liberal legislation and that the only thing about this legislation that the member for Dufferin-Peel, a good Conservative, does not like is the NDP amendment to bring in single-family dwellings. I am just very happy to see that the Conservatives have finally conceded that the Liberal government has done something right, and although their acknowledgement of this comes somewhat late, we are still delighted that they are able to tell us it is so.

Hon Mr Hampton: There are a few points I would like to respond to that some members mentioned earlier in the debate.

First, I would like all members to know that before this legislation was introduced, there was a very long consultation period with both what you might call organized lenders and, to a certain extent, less organized lenders. We are aware that lenders are not in unanimous agreement with all parts of the legislation. However, I think it is worth noting that there was not vehement opposition. When we reached what we thought was an acceptable compromise, they indicated that it was still not exactly what they wanted, but there was also an indication that they thought they could live with it. What you have here is very much compromise legislation, and it is compromise legislation with respect to the single-family home as well.

The other general point I would like to make is that, really, what this legislation is trying to do is to restore tenants who happen to live in mortgaged premises to the position that we thought was their position in law in any case before an interpretation by a district court at that time upset that interpretation of the law. Really, what we are trying to do here is put tenants who live in mortgaged property on the same footing as tenants who are not living in mortgaged property, or at least in property where there has been a default on the mortgage.

There were some specific comments raised and I want to respond to those.

First, there was some commentary on the availability of basement apartments. I think it is the case that banks generally know that an owner will rent, and banks in fact count on the revenue from a basement apartment in making a loan to an owner. I think it is fair to say that banks will not throw away the loan business with respect to a single-family residence that has a basement apartment. They are generally aware that it adds to the income flow and of course they are interested in that.

It is also worth recognizing that the mortgage market is a competitive market. If there are timid lenders out there, we will find other lenders who are much more aggressive and will certainly entertain these types of situations. In any case, tenants are not worried about this.

1750

I think I should also point out that in terms of the ability to resell, the feeling is that the impact on the ability to resell will not be extensive and it will not unduly hamper the efforts to resell.

Finally, a question was asked as to how many people will be affected by this. I think what all members need to

know is that as the economy enters further and further in a rather severe recession, there are more and more mortgage defaults. We are facing a number of situations where tenants who are living in properties that have been mortgaged and the mortgage goes into default are faced with eviction. In fact, the Ottawa newspaper carried a case today. The member for Ottawa East gave me a copy of the article from the Ottawa Citizen. It points out that in one building alone up to 300 tenants may be facing eviction. Taking that as a guidepost, we are perhaps dealing with thousands of tenants who potentially could be evicted. Certainly at the Ministry of the Attorney General we are receiving a lot of phone calls asking us about when the legislation may go through, because this is legislation that tenants recognize will affect them and will affect them in a positive way.

I want to say, finally, that there has been a great deal of consultation conducted on this legislation. While we are certainly aware that not everyone is unanimous in the commendation of it, we are of the view that where there is opposition it is not vehement opposition. Indeed, some lenders feel that the effect of the legislation will be negligible or next to negligible and their concern with the legislation is not great at this time.

I thank the members for their comments and I look forward to committee of the whole House to consider some of the amendments.

Motion agreed to.

Bill ordered for committee of the whole House.

Mr Ruprecht: On a point of order, Madam Speaker. Just briefly, when I had asked in my question to the Attorney General that he kindly answer the retroactivity of this bill, he nodded kindly. I understood that nod meant he would answer that question, which he did not. I hope that he might in future, before all this will take place.

FAMILY SUPPORT PLAN AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LE RÉGIME DES OBLIGATIONS ALIMENTAIRES ENVERS LA FAMILLE

Mr Hampton moved third reading of Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders.

M. Hampton propose la troisième lecture du projet de loi 17, Loi portant modification des lois relatives à l'exécution d'ordonnances alimentaires et de garde d'enfants.

Hon Mr Hampton: I would like to take this opportunity to once again extend my gratitude to all those who helped us develop and improve this piece of legislation. We have had the benefit of the views and suggestions of many individuals and organizations. Many people presented their views to the standing committee on administration of justice. Others wrote to us with their comments. All of the comments and suggestions that we received were reviewed and considered. Many resulted in important changes to Bill 17, including changes suggested by both opposition parties.

I would also like to thank each of the members of the standing committee on administration of justice and the

mittee of the whole House for their assistance. Although the process at times seemed rather slow, a lot of excellent work was accomplished. I appreciate the very detailed attention given to Bill 17. I think we will all benefit from the breadth of experience and knowledge of all of those who have participated in this process.

I especially want to thank my parliamentary assistant, who put in a number of weeks of work on this. Some of it, as I have told, was rather painful from time to time.

The support deduction plan proposed by Bill 17 makes compliance with support orders a priority in Ontario. Currently, only 36% of cases filed with the support and enforcement orders are receiving any enforcement; the balance are receiving nothing. A recent study conducted by the federal Department of Justice found that approximately one half of divorced women with children have total incomes which put them below the poverty line.

Figures like this are simply unacceptable. The introduction of support deduction is one way of helping these families. The changes which are being introduced will result in more support orders being effectively enforced. Together with these legislative changes, the Ministry of the Attorney General will be launching a public awareness

campaign to inform the public about the serious problem of support default and its effects. Our goal is to change the way society views the importance of paying support and to make it clear that the failure to pay support affects us all.

As I have said before, the introduction of support deduction alone will not solve the massive social problem of support default and child poverty. However, it is a step in the right direction. It is up to all of us to work together to change the attitudes of our peers, friends and co-workers and to make it clear that failure to pay support is not acceptable.

I think together we can make a difference and I think Bill 17 will go a long way towards making that difference.

Motion agreed to.

La motion est adoptée.

THIRD READING

The following bill was given third reading on motion:

Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act.

The House adjourned at 1759.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedri

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economic Development
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Wright, Hon Howard	Rainy River	NDP	Attorney General
Wright, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Wright, Charles	Willowdale	PC	
Wright, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Wright, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Wright, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Wright, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Wright, D. James	Etobicoke-Humber	Lib	
Wright, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Wright, Bob	Sarnia	NDP	Chair, standing committee on resources development
Wright, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Wright, Norman	Norfolk	NDP	Chair, standing committee on estimates
Wright, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Wright, Leo	Lanark-Renfrew	PC	Parliamentary assistant to the Chair of the Management Board of Cabinet
Wright, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Wright, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Wright, Monte	Wilson Heights	Lib	
Wright, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Wright, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Wright, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Wright, Hon Bob	Hamilton East	NDP	Minister of Labour
Wright, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Wright, Steven W.	Mississauga West	Lib	Chief whip
Wright, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Wright, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Wright, Remo	Essex South	Lib	Chair, standing committee on general government
Wright, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Wright, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Wright, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Wright, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Wright, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
Wright, Carman	Brampton North	Lib	
Wright, Dalton	Ottawa South	Lib	
Wright, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
Wright, Lyn	Fort William	Lib	
Wright, Frank	Kenora	Lib	
Wright, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Wright, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Wright, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Wright, Bill	Grey	PC	
Wright, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Wright, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
Wright, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Emba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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 Co-Chair: Noel Duignan
 Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
 Clerk: Smirle Forsyth

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Thursday 13 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le jeudi 13 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 13 June 1991

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

SEWAGE TREATMENT

Mr Johnson moved resolution 16:

That in the opinion of this House, owners of property utilizing a septic system or holding tank must, prior to offering for sale or changing ownership, provide at their own expense certification indicating that all existing sewage waste systems are operating properly and are non-polluting at the time of sale or change of ownership and that is certificate form part of any listing agreement or legal document.

Mr Johnson: This is a very important resolution, I believe. It is, one might say, a rural resolution because it could certainly be of great concern to people living in rural Ontario far more than those people living in urban Ontario.

The origin of this resolution is the result of a conversation I had with Lawrie Ackerman, who was representing the Prince Edward County Chamber of Commerce, back in either late December or early January. She came to my office and she has been an advocate to improve the environment, concerned about the deteriorating water quality, both drinking water and the quality of the water at many of the beaches in the surrounding area.

She came to my office with a resolution very similar to the one I have presented, and she asked me if there was any chance that I, as her representative at Queen's Park, could at some point deal with this. So I am honoured and certainly pleased I have this opportunity to bring forward an idea of one of my constituents.

I recently met with Lawrie Ackerman and Randy Ellis, both from the Prince Edward County Chamber of Commerce, and had a discussion with them concerning this resolution. It was modified somewhat and drafted to be presented here today.

This resolution actually comes from New Hampshire. It is very similar to a bylaw in New Hampshire that met a slight resistance in its original form and at its conception. After it has been in effect for a considerable period of time, since 1988, the people of New Hampshire are pleased with the bylaw that is very similar to this resolution and find it is getting some success and certainly has gained acceptance, and hopefully it will improve their environment somewhat. We hope if this resolution is supported here that it will at least improve the environment of our drinking water and our beaches around the province.

The intent of the resolution is not for home owners to incur a great expense, by any means. In fact, it is just to ensure that at the time of sale or the changing of ownership of real property the system in place, whether a septic system

or a holding tank, will be functioning properly. At present there is no law that would suggest this is necessary and usually it is just written into an agreement of sale or a purchase and sale agreement.

It is clear that there might be some concern because of the cost, and I understand from information that was given to me by the chamber of commerce that the departments of health believe the actual certificate and investigation of a septic tank system or holding tank system would be nominal. In fact, the figure of approximately \$100 was raised. We do not know that for sure, but we know it would not be any great expense. Certainly what would be reassuring to the buyer would be knowing the systems in place in these rural properties would be operating properly and non-polluting at the time of sale.

We know that after a change of ownership certain things can happen in rural households. Having lived in rural Ontario for many years, I am familiar with the changes in our sewage systems over a period of time. I was raised in a household that had an outhouse or a private privy. In fact, the school I went to had what we call a two-hole private privy, which was not very romantic or—let us put it this way, it was very interesting and it certainly was functional. It was probably not particularly polluting, either.

With the advent of septic systems and pressurized water systems in rural households, what we have seen are septic systems the intent of which was to contain the by-products of households and to ensure that whatever was released from these septic systems was not going to pollute the wells of the householders where they lived. So the intent is certainly clear. We want to ensure they are operating properly and are non-polluting.

As I indicated earlier, what may happen is that new owners may utilize more water and the function of the system may be changed somewhat. People who live rurally use water sparingly because they know wells are not always certain sources of water, and so when septic systems were in place and rural people used these systems, they were quite sure they would not run out of water or overuse the system. With the advent of many modern conveniences such as washing machines and dishwashers, of course, this has changed somewhat. The intent of the systems, and maybe even the efficiency of the systems, is not the same as it was at one time.

The necessity for this is to reduce pollution and we think that, although this is not going to reduce pollution immediately, as real property in rural Ontario changes there will be a need for inspection and certification to ensure that these systems are non-polluting and are functioning properly. Over a period of time many systems will have an opportunity to be inspected. Presently, they are only inspected if they are thought to be not operating properly or creating some pollution, so it is certainly a step

towards improving the environment, and that is something everyone is concerned about.

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In rural Ontario, many cottages ring our lakes because it is very important for cottages to be close to water. Many of the septic systems are close to bodies of water and we are finding today that these septic systems are slowly leaching pollutants into bodies of water, and the cottagers certainly would agree they do not want their water to be polluted. They want to be able to swim safely in it, and I think they would be favourable to this resolution.

The resolution was brought before the Prince Edward Chamber of Commerce and the Ontario Chamber of Commerce, and it was agreed it was a good resolution and that its intent and implementation would be a step towards improving the environment.

The Ontario Real Estate Association, too, said it was necessary to do some things to improve the environment. It thought this resolution would be a minor step, albeit an important step, in the direction of ensuring that when real estate changes hands the septic systems or the holding tanks, if that is what they happen to have, would be operating properly and would be non-polluting. That would be a guarantee to a purchaser from the vendor, that these systems were in fact adequate and operating properly.

As I indicated earlier, we know that as ownership changes peoples' lifestyles are different, and a system that may be operating properly today may not be at some time in the near future. Having said that, it is important to realize that nevertheless all we are trying to do is a monitoring and a certification of systems that we know are not perfect that cause pollution and that contribute in some way to the deterioration of our drinking water and the water quality of our beaches. We want to see this reversed.

If this resolution is adopted and supported, and I hope I get the support I need, it will be a step towards improving the environment in rural Ontario, a step taken by rural Ontario. As I indicated earlier, this is a system urban areas would not be affected by, but in rural Ontario and in cottage country, in areas where people are serviced by wells, monitoring would in time make some improvements.

It is not going to improve the quality of our water or reduce pollution dramatically. It is not costly. But it is certainly a means by which we can monitor and ensure that septic systems are upgraded. It may be necessary, when problems are identified, to correct these problems, to ensure the systems are operating properly and effectively.

Mr Offer: Let me say what a pleasure it is for me to join in the debate on what I believe to be a very important resolution. When we speak to a matter of this nature, we are weighing a number of areas. The first is of course the impact on the environment. Is this resolution a good resolution in terms of its impact on the environment? If it is, then we go on to consider other aspects, and one aspect, of course, is how it is operational and meets its particular goal.

I have read this resolution and I believe, as the member has clearly indicated, that this is an important resolution in terms of its impact on the environment. I believe that in the

member's opening comments he stated that this is a matter which has received support from other organizations, from other areas, and that they recognize what the resolution is all about and certainly what its impact would be. I agree with that. I believe one could not argue against such a resolution. I am prepared to support this particular wording because it will provide an enhancement, an addition, a more secure form of environment, especially in rural communities.

I think, however, that when we take a look at the resolution, we want to ask a couple of questions. The first question one has to ask concerns the issue of certification and the expense involved. We want to make certain, in any examination for certification, that the expense is not too unwieldy and that the examination is conducted by a person or persons, a business or corporation qualified to conduct such a certification. I believe there are those individuals who are able to do this—they do it as a matter of course, as a matter of carrying on business—and that the expense in doing so would be not too onerous.

We now have two aspects in terms of this resolution the first being that it is one which will enhance the environment. The second is that the certification process is available, is able to be carried out and is able to be done in an economical way.

The third aspect I want to talk about is that this be a matter of condition prior to offering for sale or change of ownership. It would seem to me that there is an opportunity right now through real estate agreements for such a provision to be placed in an agreement of purchase and sale. It could be a condition for the successful transaction in regard to a premise, by a vendor to a purchaser that there be such an inspection, that a certification be obtained, and that the transaction be conditional upon that inspection and certification being carried out. In the event that such inspection and certification does not take place or that the inspection provides that there is a difficulty with the septic system or holding tank, the transaction need not be carried out and the deposit moneys provided on the signing of the agreement of purchase and sale will be returned. That is an option right now for a real estate company or agent acting for either a vendor or purchaser.

It would be interesting to take a look at some of the educational materials provided by the Ministry of Consumer and Commercial Relations to real estate agents in terms of educational tools regarding this type of clause being found in an agreement of purchase and sale. Much could be accomplished if real estate agents were specifically informed of the need for this type of clause, as a condition precedent to the successful completion of a transaction, being inserted in such an agreement. I believe this would be another course to take. I believe the result of that type of action would still meet the goals put forward by the honourable member, the protection of the environment, but it could be done with a more specific, brought-home type of endeavour.

This type of resolution is important in another capacity. Maybe this is a little to the side, but I think it is important. When there is a transaction in regard to a premise, there are certain aspects which must be brought to the minds of both the vendor and the purchaser by the agreement of

purchase and sale and certainly by the agent acting, so that the person who is purchasing the property will be aware of the system now in place for the septic tank, its operation, when it was installed, how it was installed and by whom, and how it was kept up. These are certainly important areas when people purchase property.

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First, I believe this type of resolution is one which is supportable in terms of its protection of the environment. Second, I believe it is supportable because the certification is one which is achievable. Third, I believe the certification process is one which can be obtained at a minimal cost. Fourth, I believe the impact is a greater awareness one to the vendor, vendor to purchaser, as to the premise being purchased and all of those things that go with the premise.

On those four areas, this resolution is surely supportable. I would certainly ask by way of question—I know that is not permissible in this time period, but I think it is an area which has to be discussed—about the number of individuals who would be able to provide such a certification. I do not think we want in any way to encumber or provide an unnecessary obstacle for houses or cottages when being transferred or for the closing date to be unnecessarily delayed. I do not believe it to be a major issue, but I believe it is one that certainly should be addressed.

With this in mind, I can quite easily support this resolution. In terms of its impact on the environment, in terms of the process of certification and the cost to make certain that the certification is accomplished, and in the underlying increased awareness that purchasers will have with vendors and vice versa, all will be enhanced by a resolution of this nature and by its passage.

I commend the member for the resolution. I believe it is one which will be looked at by many organizations. I believe the member spoke about the chambers of commerce and the real estate associations, certainly in the rural areas. I think that such a matter is one this Legislature can and should wholeheartedly support. I believe it is one which will forward protection of the consumer in this province, maybe not in a major way, but certainly in a very direct way. I believe all members of this Legislature, as one, support consumer protection, consumer information. This type of resolution is one which certainly embraces and forwards that principle.

In conclusion, I commend the member for this resolution. For the reasons I have stated, I am prepared to support it.

Mr Tilson: When we look at the resolution, I think all of us in the House can realize the problems in rural and cottage communities, where you have septic systems and wells, with respect to our environment. I must, in general principle, congratulate the member for Prince Edward-Island-South Hastings—a tongue-twister—for putting this resolution forward. However, I say that with many reservations. If he intends to pursue this, I will look forward to hearing comments with respect to some of the reservations that I propose to put forward.

This is a problem real estate lawyers around this province in the rural and cottage communities continually look

at, the issue of whether a well is potable, whether a septic system is in good working condition. Any experienced real estate solicitor, if he or she is acting for a purchaser, will insist that a clause be put in the agreement of purchase and sale that the vendor at the time of closing warrants that the well is potable and the water is of sufficient quantity for residential use; and further, that the septic system on the premises is in good working order. The vendor in some cases is unable to provide that warranty. It may well be, for example, that the vendor has only been living on the premises for a short period of time or may only be living on the premises for intermittent periods of time, such as with a cottage.

The question that gives me a great deal of concern with respect to this resolution is the whole subject of certification. Who is going to do the certification? Do you hire someone? Is the vendor going to hire someone? Is the vendor going to hire the health officials from the municipality? Is there going to be a whole new bureaucracy created in the provincial government to provide the certification?

There are only a few people who can provide this certification. When solicitors are instructed by their clients to communicate with health authorities in order to have them inspect a septic system, those individuals will attend on the premises and will look at the septic system as it appears. The septic system may be a month old, it may be 20 years old, and it becomes physically impossible for these individuals to completely certify that a septic system is in good working order, particularly in the winter months. How are you possibly going to certify a septic system that consists of maybe a concrete tank? It may be some other form of tank. It may be weeping tiles that go over the entire backyard. There may be a filter bed under the weeper. There may be a header that is on the system. The only way that the municipal authorities can do it—and they are the only ones doing it now that have any authority—is to dig up the entire system.

What happens now, in all practicality, is that those municipalities that do it—because some municipalities will not even touch this, for liability reasons; they will not even do it, they will not even look at it because of the physical impossibility of certifying that a septic system is in good working order. What they will do is look at their records as to when the system was installed. They will look at the physical aspect of the property, as to whether there is any ponding; and in the wintertime, let's be practical, that is physically impossible. Then they will write a letter to the solicitor or the purchaser who is trying to obtain certification that a septic system is in good working order, and they will qualify that as to what they did: They looked at the premises, they looked at the septic bed and there did not appear to be ponding. That is all the health people will do, because they cannot do anything else.

So that is my first question to the member. How is this certification going to take place when common sense tells us the only way it can be properly done is to dig it up? You may have some leaching in some far corner of the property where the septic system goes. The only way that you can find that is to dig up the entire backyard. If you have real

estate transactions that may take place, it is possible that you could have a number of transactions for the same property in one year. Are you going to dig up the same property twice or three times in one year? That would be absolutely silly.

1030

The other question of course is, who is going to do the certification? I can assure members that the municipalities will not do the certification, because they do not have the staff for it and they are not prepared to provide that type of certification, and I am not too sure what the member means by "certification." If the government people are not going to do it, then I assume there would be a whole new group of people from private enterprise who would presumably be trained and certified. Again, they would have to dig it up to properly do it. Who is going to certify them? Is there going to be a whole new bureaucracy created by the provincial government to determine who is going to certify these individuals?

The whole issue that has been raised by my friend is certainly an admirable one and I think all of us in the House can look at it and say, "Yes, we need to do things to resolve our environmental problems," but this is not the way to do it. I submit that the practice going on now is perhaps the only way that can be done, and that is that if the vendor is able to, he provides such a warranty in the agreement of purchase and sale. Even that may cause problems.

I have heard of transactions being completed where the vendor warrants, at the time of the closing a transaction, that the septic system is in good working order, and it is. However, the purchaser, not knowing where the septic system is, drives over it with his big trucks moving his furniture in and wrecks the entire system. I have known of law cases where that has occurred. The whole debate is, was the septic system working at the time the transaction closed or was it working after the transaction closed? These are very difficult problems. How long is the certification good for? You sign an agreement of purchase and sale in the wintertime. It may be set to close in the spring. The ground may not be frozen. How long is a certification going to last? Is it going to last from December to June?

I think there needs to be considerably more time to look into this because of the whole issue of certification, the whole issue of cost—what is it going to cost to dig up someone's backyard—and the whole time of year, when it is physically impossible to determine whether a septic system is working. In the wintertime things do freeze. These systems do freeze. Practically speaking, it becomes impossible.

I took the liberty of communicating with a number of individuals in my riding who deal with this sort of thing all the time. I contacted one of the local health authorities and I contacted a real estate agent and I contacted a lawyer. These are people who deal in these types of transactions all the time. They all echoed my thoughts, and that is that although the resolution is admirable, it physically cannot be done. It just cannot be done.

The real estate agent, for example, pointed out that it would be very difficult to assess if a septic system was functioning properly or was non-polluting unless there

were obvious signs such as ponding. That may be the best you can do. That of course will not apply in the winter time, because there is no ponding in the wintertime. Things are frozen.

While there is certainly an onus on the vendor for disclosure of all things; in other words, there is a contractual issue—the law is evolving on that. I am sure we are all aware of the expression "caveat emptor" or "buyer beware." Normally the requirement on the vendor is not necessary because of the expression "caveat emptor," but even that is evolving and if a vendor knows that a septic system is in default or is faulty, he or she may still be liable to the purchaser, knowing full well that he or she was selling the purchaser a system that is defective.

The resolution, I would submit, would be useless because of the inability to prove that the septic tank is malfunctioning. No certification in the world is going to be able to do that. The resolution, I submit, is simply going to add to the bureaucracy. It is another example of how this government is simply going to regulate us out of the province.

Those are the comments of the real estate agent, and very valid comments, I think, for my friends in the government to consider. The solicitor talked about there being some advantages for a purchaser because this resolution would therefore absolve the purchaser from any responsibility to have the tank checked out. However, the biggest question is, again, how do you certify it? I would like the member to tell us how that certification would take place having heard some of the comments I have presented to him, because I submit there is no objective way to deal with this situation.

It is very difficult to tell if there are any structural problems unless, as I have indicated, there is ponding. The vendor would have to hire an inspector—and if the municipalities and the government are not going to do it, I do not know who these inspectors are, who is going to do the inspecting and what qualifies those people to be in inspecting—who would have to use very extensive techniques to test the septic area, the septic tank and all the various parts of the septic system—these septic systems are very complicated things, if they are done properly—for leaching and the whole system would have to be dug up to see if there is any sign of operation. You may not even be able to determine that simply by looking at ponding. As I say, you would have to dig the system up.

The issue is certainly an interesting solution. I did listen to the member's comments as to its working in other jurisdictions and I would like to hear more of that. I can only say that the resolution has good intention but is not practical. There is no way of knowing about these problems unless you dig up the system. The health inspectors could look at the septic system and say, "There's no ponding," so a transaction closes and then you find there are problems. It depends on the time of year.

I submit the cost to the vendor would be horrendous and I have heard no estimates as to what this would cost because a vendor would have to hire an inspector to dig the premises up to properly inspect the entire septic area. Would the inspector or the agency or the government then

responsible legally if a septic tank was certified and it was later found to be inoperable? I think it would totally be responsible for the individuals who are making these inspections—and I doubt very much whether they will be the provincial government or the municipalities—to provide that type of certification. That means the private individual would be totally responsible to provide such a certification, and I can assure members that if they are going to do that, to avoid potential litigation in the future they would probably have to take out insurance to cover potential liability or their fees would be astounding to ensure they have taken sufficient steps to determine that the system is in operating order.

I ask that the member consider all of these areas in making his resolution, because although it is admirable and it does look at the whole issue of the environment, I think even he would have to admit it is not a practical solution to the problem.

040

Mr Drainville: It gives me great pleasure today to rise and support the motion put forward by my honourable colleague in this chamber.

I would like to speak about the declining quality of water in Ontario. I come at this from a particular perspective, as a member of a rural riding, Victoria-Haliburton. There is a great deal of concern presently throughout our riding and throughout the region about the declining quality of water.

There are three issues that impact upon this. The first is acid rain, the second is the effect of motorboats on our water systems and the third is the leaching from septic systems.

In terms of this last one, obviously the member has put forth a resolution that calls for certification and inspection at the cost of the person who owns the property before he can sell that property.

I too have done some homework and spoken to builders of septic systems in the riding as well as to the local district health council and to the municipality. There is no question that inspection will take a little bit of work and cost money. I want to respond quite directly to the member for Dufferin-Peel when he says this cost might be prohibitive.

I have to say that the issue at hand here in Ontario at this point in time is an issue of individual responsibility for the environment. One of the problems we have in our society today is that people are not willing to take the kind of responsibility they must to ensure that we have a better future.

When we speak specifically about those who own property and their responsibility to ensure that when they pass that property to other people, we have to say it is absolutely true that it is their responsibility to ensure that the property they hand on and sell to other people is property which is not going to have major problems with the environment. It has to be taken on as their responsibility, or if they do not take on the responsibility, then, indeed, no one takes on that responsibility.

I have to say that in terms of my own life and my own property, I would see it as—I hate to use this word but I

suppose as a clergyman it comes naturally to my lips—a sin for me to hand on the property that I own to someone else, knowing or even suspecting there may be problems. One can say, “Well, if you’re ignorant of the problems it’s not your responsibility.” As the honourable member knows, ignorance is no acceptable response in terms of the law, nor should it be in a situation like this. We live in a time when we need to take the responsibility for that which we own and that which we have control over. It is important that this resolution be passed because it puts the onus and the responsibility on the individual who owns the property.

I also have to say to my honourable friend across the floor that he has indicated that this resolution does not encompass the many factors that need to be looked at for this kind of system to be set up. Indeed, he is right. He has said in this House, and I have heard him, and I have said in this House, that these resolutions we put forward cannot possibly encompass all of those things.

First of all, this is not a bill; it is a resolution. As a resolution it is, by its very nature, a principle that we are putting forward so that people understand the direction we want to go in terms of better legislation, a better system, if you will, so that people can see there is hope in the future that we will have a more environmentally friendly community, that we will each of us be taking our own responsibility.

In terms of certification and inspection, there is no question that there needs to be work done on the system by which that is done. All I can say to the honourable member is that in this resolution this is a principle we are setting forth and it will be up to the government, if it is accepted, to move on this to ensure something is done and a system is put in place. I leave it to the good graces of the government to do precisely that, because it is an important issue.

I am very glad to support the resolution as put forward today and I look forward to its being implemented by the government as soon as possible.

Mr Offer: Mr Speaker, we have made an agreement. If it is okay, we are more than pleased to allow the government side our final four minutes and, I believe, 20 seconds for their members to proceed with this very important debate.

Mr Fletcher: It is a pleasure to rise and support my colleague’s resolution as far as the septic tank systems are concerned in this province.

One of the reasons I am supporting my colleague is primarily the environmental issue. It is my belief that many of the septic systems we have in this province were built such a long time ago and they were not used to the capacity we now have. The overcapacity is what is really disturbing when we see leachate going down country roads or seeping into rivers and into lakes. We have always had a problem of beaches being closed, rivers and lakes not being able to be fished or to be waded in by children. If we are not willing to spend the money now, then the future costs are going to be so much greater than what we are looking at. The future cost is not only the cost in dollars and cents, it is the cost that our environment is going to suffer so much. I agree with my colleague when he says it

is up to this government to ensure the inspection and the maintenance of septic systems is done and done properly.

I have to say to my colleague the member for Prince Edward-Lennox-South Hastings that I am very happy he introduced this resolution, because it is not only a problem within his riding, it is a problem in many ridings and many rural ridings. Something this government has taken to heart is the environment and what we can do to protect it.

As far as a person buying a new home or buying a home from someone is concerned, it would be terrible to have that person going in and finding that he has to pay hundreds of dollars, thousands of dollars for a new system, through no fault of his own, only because it had not been maintained and had not been serviced.

Again, just in closing, I am very happy to be supporting this resolution from the member and I hope that everyone else will support it.

Mrs Mathysen: I am very pleased to have the opportunity to speak to the resolution of the honourable member for Prince Edward-Lennox-South Hastings, both as someone working at the Ministry of the Environment and as a rural dweller who understands the importance of a proper, non-polluting sewage waste system.

The proposal of the member for Prince Edward-Lennox-South Hastings, that owners of property utilizing a septic system or holding tank provide certification that the system is functioning properly and is not polluting the environment, makes sense for all of us in the province for a number of very practical reasons. Certainly we want to be assured that our drinking water is free of contamination; that purchasers of rural homes who might not be familiar with private septic systems are protected from the expense and inconvenience of purchasing a home with an improper waste disposal system; and that the beaches in our communities, beaches that were once the envy of visitors to Ontario, are again clean, safe places for our recreational enjoyment and the tourist attraction they once were in the past.

Let me return to my first point regarding safe drinking water. As many in this House certainly will understand, rural people like me and the constituents I serve depend upon private wells for our drinking water. Improperly functioning septic systems threaten that supply of water. This is an obvious concern to rural Ontarians, since this is generally the only source of water for our homes. Loss of something as precious as clean, reliable drinking water would be catastrophic to rural dwellers.

Second, it is no secret that the attractions of lifestyle in rural communities draw many ex-urbanites to farms, smaller acreages and rural towns and villages. It makes a great deal of sense to provide people who may not be familiar with the mysteries of rural living with some assurance that they are purchasing with confidence a home they can enjoy without fear of discovering improper facilities and, even more important, an assurance that because of their inexperience they are not polluting the environment around their new place of residence.

According to the resource material kindly provided by the member for Prince Edward-Lennox-South Hastings, the cost to vendors of rural properties to secure this certification of

septic systems would be quite modest and it would be money wisely spent, in light of the reality of today's market prices for houses and property.

I would also like to mention that certification that a home is free from urea formaldehyde foam insulation is now quite a common practice since the discovery of problems with some houses that are insulated with UFFI. So certification of a septic system is not at all unreasonable.

Last, I would like to remind members that in the last few years, we in Ontario have often been deprived of the use of our beaches because of high levels of faecal coliforms from human and animal wastes that have entered rivers and lakes from sewers and septic tank overflows during rainstorms. Instead of enjoying what is a remarkable resource, we are faced with a health hazard.

I realize that old, malfunctioning septic systems are not the only culprits in the pollution of our wells and waterways, but they do account for about 30% of that pollution. That is a significant level. We cannot hide from the effects of this kind of pollution, and we cannot pretend that refusing to address the problem because it is inconvenient, creates extra work, involves some cost and requires people to take responsibility for this kind of pollution makes any sense at all.

I feel the member for Prince Edward-Lennox-South Hastings has made a very important recommendation to this House, one that could have significant impact on addressing septic system pollution, and I am most pleased to be able to stand and support this resolution.

1050

The Deputy Speaker: There are four minutes available, and if there is unanimous consent, some of you may wish to use that four minutes. Is there unanimous consent that it should be used?

Mr Tilson: On a point of order, Mr Speaker: I do believe that our side not only would like some of that time, but as well, I believe there were a few seconds left with respect to my remarks.

The Deputy Speaker: You have 25 seconds.

Mr Tilson: No, it won't be me.

The Deputy Speaker: Okay, is there unanimous consent that the four minutes should be used?

Agreed to.

The Deputy Speaker: I will recognize anyone. The member for Lanark-Renfrew.

Mr Jordan: I too would congratulate the member for bringing the concerns of rural Ontario forward regarding the septic tank and weeping bed, but really, for anyone who is aware of the installation of a septic tank and weeping bed, the first sign of trouble in a system is not in polluting a well or polluting a neighbour's property; the first sign is internal to the system in that the system starts to show signs internally of not functioning properly.

I think we are overemphasizing the danger of a weeping bed not functioning properly relative to the environment. With a weeping bed, properly installed, the moisture is dispensed into the air. It evaporates. That is how the system is designed. Very little of the waste that goes into a

weeping bed actually is filtered through the ground. It is evaporated into the air.

To me, in purchasing a property, it would be of much more value to the purchaser to know that the weeping tile had been installed around the base of the foundation to carry off drainage at that level to the proper location, because many times, in cutting costs, if the building has not been properly inspected, builders will leave out the installation of weeping tile around the foundation, and it creates a real hazard and a real problem and a large expense later on. In this case, it will pollute into the basement area of the home and can also cause a problem with the weeping bed and the tile.

I find the subject is receiving far too much emphasis relative to the environment. Even if I were to buy a house tomorrow and I found a week later that I was having trouble with the weeping bed, the cost to replace it is very little more than the cost would be to have it inspected in such a way that somebody could give me a certificate that this system was properly installed and was indeed properly functioning. So I think, although the concern is real and should be there, the fact of trying to police such a procedure is not feasible and certainly not financially justifiable to the purchaser or the vendor.

Mr Mills: I would just like to take a few moments this morning to speak in favour of my colleague's resolution. I think it is a very valid resolution. I think it is needed and I think, like some other previous speakers here this morning, the environment and the protection of that environment is uppermost in all of our minds, and if it is not, it should be.

I live in an area that does not have the benefit of sewers. In my house I have a septic system, as do all the other people in the hamlet where I live. At different times you see a For Sale sign go up on a particular property and someone moves in, and it seems to be almost automatic that in a few weeks you see some bulldozer activity there, that they are trying to correct a sewer system the poor unsuspecting buyer was not made aware of when he purchased the property. In view of that type of traumatic experience to a buyer, I am going to be supporting this resolution wholeheartedly.

I take exception to my colleague and friend over there who suggested, and I cannot quite come to grips with this, that the cost of having a system inspected is on a par with having a septic bed replaced, because you see bulldozers coming in, there is a great deal of activity to replace it. I suppose I cannot really argue; it just strikes me that an inspection as opposed to replacement would not be comparable.

Anyway, I am pleased to take part in this debate and I shall support my colleague's resolution.

The Deputy Speaker: There is still one minute and 30 seconds left for the third party.

Mr J. Wilson: I just have, really, a couple of comments. Although the resolution before the House today is well intentioned, I wonder what the cost analysis would be on the effect of affordable housing. It seems to me that forcing home owners and cottage owners to go through

this process, however noble it may be, will drive up the cost of housing by a few dollars.

It seems ironic to me that a government that talks about social assistance and social housing so much would introduce any measures whatsoever to once again fit another tax or another requirement on a well-intentioned home owner. I would certainly ask the government to take that into account before it proceeds too far with this. I also question the government how many more bureaucrats it is going to need to administer this new process.

It seems to me that in government in Canada and in many jurisdictions in the world we are overgoverned, and this is another situation of yet another law being put on the books and another requirement that the good citizens of this province are going to have to follow. I wish the government would consider that and bring some common sense back to this Legislature.

Mr Ferguson: I will be very brief. I think we have all witnessed, particularly in the past, what happens when we enter into a period of deregulation, a period of no government intervention. I think the truck drivers' protest that has taken place as a result of what has happened at the federal level, the federal initiatives prompted by my colleague the member for Simcoe West's federal counterparts, is really indicative of the difficulties we run up against.

What this resolution is saying is very clear and very simple. It is saying that prior to the sale of a home, you should be ensuring that the sewage system is working properly, particularly for septic tanks. Of course, this is of prime importance in rural Ontario, where it is the major way effluent is treated, and it could be handled very simply, as is the case now, by medical officers of health in those particular communities.

There are parts of Ontario—and we are going to hear the doctors' spin later on this—where we should be doing more, where the communities are literally floating septic tanks because they do not have a sewage treatment facility. There are many parts of Ontario where the only expansion that is occurring is expansion on private services, and it is unregulated. So I think the private member's bill makes sense and I fully support it.

1100

Mr Johnson: I would just like to comment on some of the comments that have been made. To the members from the Progressive Conservative Party, the third party, I would like to say it was deliberate that this was not as comprehensive as it might be. If it had been as comprehensive as I probably could have made it, then certainly it would have required more debate and there would have been more specifics that would have been necessary to satisfy all members, I have no doubt.

I think we should leave to the experts exactly what is necessary in order to inspect these septic systems or these holding tanks. I think it is the experts who can make these decisions on how they can make a determination of whether it is operating properly or certainly whether it is polluting or not. I am not an expert; I do not expect that any of the members opposite are experts. I think the experts are the ones who would make this decision.

Who can do the inspections? Members of the Prince Edward Chamber of Commerce who brought this to me said the local health department said it would not be a problem. They said they could do it and the cost would be nominal. I consider the health department must have the experts. I am not an expert.

The certification would be valid only for a specific amount of time, what amount of time I am not sure. Again, I would leave it up to the experts to make that determination. I heard a member opposite say it cannot be easily inspected in the wintertime. There are many inspections that can be done. You can check the flue gases; you can check the internal plumbing to see if it is operating properly; you can lift the cap on the septic tank to see if it has been pumped recently, if it appears to be operating properly; you can check the leaching bed to see if it is operating properly. I think if all these things are done, then certainly a certificate could be offered. The intent of this resolution is to help, just a little bit, to improve the environment. If the members opposite do not want that, so be it.

SOCIAL SERVICES

Mr Offer moved resolution 15:

That, in the opinion of this House, recognizing that there currently exists a chronic underfunding of social services for children, youth and families in the region of Peel, which has caused a report to be prepared by the Fair Share for Peel Task Force consisting of volunteer presidents and senior staff from the Children's Aid Society for Peel Region and the United Way of Peel Region, which report has clearly shown the need for a consistent method for allocating provincial grants for social services, the Minister of Community and Social Services should take concrete steps to increase the service base to a satisfactory level over a five-year period and develop an equitable funding formula that recognizes population growth dynamics and social indicators.

Mr Offer: To begin, I hope that all members of this House will support this resolution, which is as a result of some very good and very important work done by the Fair Share for Peel Task Force. We might want to ask ourselves the question, what is the Fair Share for Peel Task Force? Following an initiative begun in March 1989 under the auspices of the Social Planning Council of Peel and the United Way of Peel as the waiting list task force, the following agencies joined together in early summer of 1990 in order to draw attention to the chronic underfunding of social services for children, youth and their families in Peel and to the serious consequences of such limited resources.

Those particular agencies were the Children's Aid Society for Peel Region, the Family Services of Peel, Peel Children's Centre, the Social Planning Council of Peel and the United Way of Peel Region. The leadership for this initiative was provided by the volunteer presidents and senior staff. It is the resolution and the recommendations by this task force that indeed form the basis of my particular resolution.

Many members in this Legislature are well aware of the incredible growth in the region of Peel in terms of

people, houses and the retail and commercial sector, all growing at a phenomenal rate. I know the region of Peel is not the only region in this province undergoing such substantial growth, but indeed it is one such region. We believe it is necessary that there be a funding formula for these agencies that reflects the growth so that they can continue to do the important work they have done in the past.

I have spoken about the Fair Share for Peel Task Force report, and the question that begs to be answered is, what is the essence of the report? The essence of the report recognizes and continues to advocate a fair system of funding for child and family services. They have made a request to the Minister of Community and Social Services asking the minister to redress the chronic underfunding of Peel social services for children, youth and their families through concrete steps to increase the service base to a satisfactory level over a five-year period; second, to develop an equitable funding formula that recognizes population growth dynamics and social indicators in Peel. I take the time to state that, because all members of the Legislature will quickly recognize that my resolution is indeed word for word the recommendations of this very important task force.

What has been the result of the funding formula now in place? What has been the result of a funding formula that does not take into consideration population growth dynamics?

I would like to share just a few of the repercussions of this type of funding formula. The Peel Children's Centre, which provides both residential and non-residential treatment services, reports a waiting list of 160 children and a wait of approximately 14 months. Rapport Youth and Family Counselling services reports a current waiting list of 20 client families with an average wait of three months. According to Community Living Mississauga, more than 209 families are on the waiting list for respite services.

The Peel infant stimulation program currently has 80 babies on its request-for-service list, and parents are having to wait seven to eight months for services that truly should be available in four to six weeks. Last November, Family Services of Peel closed its intake for children and youth experiencing emotional and behavioural problems and their families. Finally, the Children's Aid Society of Peel has had a 35% increase of families since 1988 and the number of child abuse allegations, as reported to CAS, has risen by 33% since 1987.

These are just a few but not all of the manifestations, the repercussions of a funding formula that is not tied to the dramatic growth increase that the region of Peel has experienced. The issue is clear. The historical basis for funding is clearly inappropriate where it cannot meet with certainty the demands of a growing population.

1110

The dilemma for any government, and I recognize this, is to balance the extent to which a legitimate demand for social services can be met against the limited funding that is available. We would all like to say there is unlimited funding, but I believe all members in this Legislature recognize that there is a limit to the funding.

But a balance must be drawn. I believe these particular proposals are clearly appropriate. They are appropriate because they do draw a balance between funding adequacy and funding universality. Quite simply, what they call for is an equitable funding formula that recognizes population growth and social indicators, a funding equalization that would re-establish a satisfactory funding base and appropriate funding for mandated services.

A universally understood and applied funding formula would equalize the support given to all community agencies. Changes in population or service demand, if verified by statistics, would be the legitimate basis on which funding increases would be assigned, and communities would be supported on a level consistent with the needs of their residents. Mandated programs would be covered without energy being spent annually on negotiations with the ministry. These are matters that this task force report has clearly come to grips with. It has clearly provided an appropriate balance.

I ask all members of this Legislature to support this resolution. It does not call for change today or tomorrow; it talks about a workable time period. But it does have as its fundamental belief and principle the requirement that funding criteria must be based in instances on population growth and a social indicator type of analysis.

I believe it is only in this way that these organizations which provide such a valuable and necessary service to children and families, not only in our region of Peel but indeed throughout this province, will be able to efficiently and effectively carry out and deliver the service which we hope, indeed ask them to do. We cannot expect these agencies to provide this type of service in such a critical area, in such a complex, sophisticated and growing need, without the level of funding they need.

It is our responsibility to make certain that the funding formula these agencies need to carry out the work so drastically required is one that comes to grips with their need. A funding formula that does in fact reflect population growth will go a long way to making certain these agencies remain viable and the services that they deliver will continue to be delivered in the effective, sensitive way they have been in the past.

I ask all members of this Legislature to support this resolution.

Mrs Marland: In rising to support this resolution dealing with the subject of chronic underfunding of social services for children, youth and families in the region of Peel, I have to say at the outset I am happy to see the member for Chatham-Kent, who is the parliamentary assistant to the minister, in the House this morning, because right off the top I would like him to convey a message to the minister from myself personally.

I wrote a letter to the minister four months ago. I have yet to receive a reply. Also, four months ago our caucus presented the Fair Share for Peel Task Force report personally to the minister, at which time she assured us that she would consider the request and concerns of that task force. Here we are, four months later, with no solutions to this chronic underfunding. I want to quote directly from the report to put on the record what these people are saying,

not I as a politician, but the people who are dealing with this crisis of underfunding in Peel today.

These people, by the way, represent the Children's Aid Society of the Region of Peel, Family Services of Peel, Peel Children's Centre, Social Planning Council of Peel and the United Way of Peel Region. Who else can know better what the needs of these young families and children in Peel are but those agencies trying to deal with the problems on a daily basis? I quote from the report: "The region of Peel does not receive its fair share of funding for social services for children, youth and families from the provincial government. As a result, the resources available to meet the growing demands of Peel's population are totally inadequate, leading to services that are increasingly unavailable and inaccessible.

"A detailed analysis...reveals that the level of funding is not commensurate with the proportion of Ontario's population represented by Peel. Moreover, the level of funding does not begin to reflect the higher-than-average rate of overall population growth in Peel, nor the higher-than-average rate of growth in its child population."

We simply say to this government that we are not asking it to spend more money. We are asking them to set priorities in terms of human need. Is that such a big difficulty? In realistic terms, is it fair that with the distribution of government money—and government is going to spend money anyway, somewhere—in Peel, the average spent on children's services is \$46, whereas the provincial average is \$105?

The comparison is particularly grave when you compare it to the money spent in Metro on children's services. There is nothing different in Metro from what there is in Peel. They are the same children and families with the same emergency needs, yet in Metro it is \$150 per child per family in children's services, three times as much as in Peel. When you look at child care, the figures are even more appalling. In child care in Peel, we are talking about \$68 against Metro's \$421. I do not think anybody could stand in this House and defend that differential. The provincial average in child care is \$172, and I emphasize again that in Peel it is \$68.

I ask this government, is this fair? If it is going to be spending money for these needs and services for these people, how is it that the government cannot do it equitably? We are not saying they should increase the funding overall if they do not have it. We are simply saying that what the government spends in this province has to be the same for every child, mother and father and adult in need. That is not happening and that is what is so wrong today in Ontario.

Unless the government thinks that perhaps these cases are not real, and in case it questions what is really going on in the lives of these people on whose behalf I am standing in this House pleading today, I want to give it some insight into one or two cases. These are not fictitious. These are not just figures we are looking at. These are lives of people who are trying to exist and cope today in Peel.

1120

One case, which I find very difficult to read, is about a family. It talks about a little eight-year-old girl and the

difficulties of her family. Her father drinks and beats the mother and the children. This is one of the circumstances in the life of this family, and I quote from the story except that it is not a story; it is an account: "Just before Brandy's fifth birthday, her mother got up one night to go to the bathroom. She could hear some peculiar sounds coming from the bedroom that her daughters shared. She entered to find her husband sexually assaulting Brandy."

It goes on to say that the mother then left that family home with her children and has been "shuffled between shelters and basement apartments." This account also goes on about the fact that because of the circumstances of that family, there were other problems with this little girl that were not observed: speech and developmental.

Again I read from the report, "The reality is that Brandy and her family are still waiting on Peel Children's Centre priority waiting list," even though she was identified last summer as being in need of emergency services. "The centre cannot even begin to keep up with the cries for help from Brandy and others whose situations are equally as desperate under the present funding inadequacies."

I want to give one other example: "Len has a severe intellectual handicap and cerebral palsy. He requires assistance with personal hygiene and grooming.... Len cannot speak.... In June 1990 Len graduated from school, but has not taken part in any additional program to help him. He is on the waiting list for vocational services at Community Living Mississauga, but no potential exists for several years. This is because Community Living Mississauga has not received any additional funds to allow for expansion in these times of fiscal restraint. Len is also on the waiting list for adult residential services at Community Living Mississauga. However, once again there will be a wait of at least 15 years before a placement is available, if ever." We are not talking about six months or six years. We are talking about 15 years.

"Len's mother had a heart attack in 1989 and finds it increasingly difficult to provide Len with the care he requires. Because Len is at home all day without any day program, he has become extremely frustrated. He has started to become aggressive with his mother. The stress level on the family is mounting daily. If his mother becomes ill again, there will be no one to take care of Len, nor will Community Living Mississauga be able to provide a home for him.... There is no doubt that Len and his mother are facing a crisis and there are no resources to deal with that crisis."

Here is another case which talks about the problems faced by the Catholic Family Services of Peel-Dufferin. Just one short quotation: "The school social worker felt that the children were experiencing many problems because they had witnessed the murder of their father two years earlier. Six months after the original call, they are still awaiting service."

In view of the limitation of time this morning I cannot continue to give the members more cases, but what does it mean when in 1991, in an affluent province like Ontario, we have to stand here and plead and beg for the human survival of these people in Peel? We know there is not a money tree at Queen's Park and we know we are in a

recession, but we also know this government is spending money every day. We ask the government simply to set priorities, to spend money on human survival needs and eliminate the suffering first, and then do the sending out of cheques and running around the province like fairy godmothers dropping money here and there for other causes. The government should prioritize on behalf of these people who are suffering today.

Mr Winninger: First of all, I would like to thank the group of Peel agencies that did such fine work in preparing this report. I would like to thank as well the member for Mississauga North for bringing forward what appears to be a persuasive resolution, and certainly the member for Mississauga South has presented some very compelling and poignant examples of where there is a scarcity of services to meet the needs of children.

This is a problem, though, that is shared by many municipalities across the province. In my own riding of London South, and in the London area in general, children's services are having great difficulty struggling to keep pace with the demand that a lot of our social and economic conditions have engendered.

Certainly there are activities under way to assess the current inequities in funding and find a more equitable approach to funding these programs, as the member for Mississauga North has indicated is required, and various funding formulas and options for distribution of resources are being examined. Certainly there has been phenomenal growth in the greater Toronto area that I believe the ministry is well aware of and is examining very closely.

The case has been made quite convincingly, I think, that there is a long waiting list in Peel and that there may be some underfunding and inadequate community resources that have resulted in these long waiting lists. However, the same problem occurs in Durham, York, Halton and many other areas across the province. I hear Perth is encountering that problem as well. This is not a problem that just arose today or last month or on 6 September. This is a problem that has been growing for many years now and is not an easy one to solve.

I am sure the member for Mississauga North does not purport to have all the answers to this problem, since his government did not appear to have all the answers nine months ago. The agencies involved in the Fair Share for Peel Task Force report have certainly documented that funding for social services needs to be re-examined, and certainly in the Peel area there seems to be a shortage of funds that exceeds the provincial average, if you will.

The long waiting lists are common to many municipalities—the lack of crisis intervention services, the need for more subsidized child care spaces and so on. Children First, the report of the Advisory Committee on Children's Services prepared in November 1990, well illustrates the problem across the province and calls upon government to forge new relationships to care for children in the light of changing social and economic realities, and goes on to say that the provincial government is now spending \$1.4 billion a year overall within the Ministry of Community and Social Services on children's services, including child care. Given the great expenditure we now see, as the member for

Mississauga South has indicated, we have to look at ways to deliver services perhaps in a more efficient and effective manner. With some impetus for change, the systems of care and support for children and their families may become adequate to meet the challenges facing them.

However, we may not be able to do this within the five-year time frame that the member for Mississauga North requires in his resolution. For that reason, I have grave reservations that such a complex problem, which is common to communities all across the province, can be met within an arbitrary and rigid five-year time frame. Maybe it can, maybe it cannot, but it is rather unworkable for the member to propose a five-year plan as though that would solve all the problems.

I am certainly committed to promoting children's wellbeing, to looking at ways in which we can change the system of funding and delivery of services. However, for the reasons I have mentioned, I cannot support the resolution.

130

Mr Callahan: First of all, I am chairing the standing committee on public accounts at the moment and my colleagues have very kindly allowed me to say my piece briefly on this very important issue.

The fact is that we all recognize there is limited money available, but I think at the same time we have to recognize, as did the former government, that there are high-growth areas in this province. If the funding that was made available to the public and separate school boards in the last capital allocation announcement is any indication, I have grave concerns that this issue is really understood by the present government, and it had best be understood, because growth unabated and underfunded will result in a significant increase in problems in that community.

Peel region is a young community in a sense. It is a very innovative community. It is a fast-growing community. We wish to have proper bases for funding so that budgets can be considered, other approaches to funding that is not funded by the government can be dealt with, but when you have no definitive way of defining what kind of money you are going to get and you have no way of knowing what impact growth is going to have on you, then of course it makes it impossible to do that.

When one looks at the significant features in the Peel region, we have an international airport in that community. We have people moving in there constantly because it is a new area. It is an area where young people are moving in with children who perhaps require services and perhaps are not able to get those services because of the difficulties in terms of funding and providing those services.

We are seeing a change in the environment in terms of the availability of foster care in cases of children's aid societies. We are seeing that the children's aid society legislation requires mandated services; there is nothing the children's aid society can say about whether it provides them or not. We are seeing as well that salaries in some respects are eating up, or accounting for, a great deal of the expenditures of all of these good providers in our community.

I am going to say finally, since I am sure my colleague the member for Mississauga South and others will be

speaking at greater length on this, that we did in fact sign—and you might say this was a non-partisan letter signed by every member of the region of Peel to the minister in February—a letter outlining this difficulty and asking that she give consideration to it. But with the greatest of respect to the minister, we have not heard one word in terms of whether this is being addressed, whether she understands or appreciates the problem.

I suggest to the House that we are fast coming upon another year when these good organizations in our community are going to have to make their decisions and are going to have to have an answer. When I look at the amount of money the deficit was increased by, I have to say to myself that we don't have an unlimited amount of money, but surely having provided this deficit, there must be extra dollars there for some purpose. I suggest that this is a very worthy purpose.

I think the entire province would like to know that there is some specific formula for how we arrive at funding services, because although a member's community may not be a growing community at the moment, as Ontario goes down the road through history, that community may very well become a growing community and people are going to require these rules to be in place to ensure that the fast-growing community is adequately served.

So I urge members to support this very necessary motion that is brought by my friend the member for Mississauga North. I would urge members to support it and demonstrate to the government that this is a very important issue, that there has to be a fixed formula. We cannot go on not knowing from budget to budget what will be available for these services. I urge members, on behalf of the children of our riding, of Peel region, and the children of other growing areas, so that they will in fact have some certainty in life, which today seems to be very difficult for young people, to give them the certainty that at least those services, mental health and so on, will be provided for them. I would hope in the overall scheme of things that we will have unanimous support for this motion.

Mr Tilson: I too rise to speak in favour of the resolution. I too was one of the individuals who signed the letter that was indicated by the member for Brampton South and the member for Mississauga South.

It is regrettable that the minister has chosen to ignore that letter and would appear to have ignored the problem. There is no question the general subject, as the member for London South has indicated, applies throughout the province, but I think it has accelerated in the region of Peel for all the reasons given by the previous speaker. I think the government is going to have to consider that fact in itself, the very fact of the population explosion that has occurred in the region of Peel because of the current economic situation and the number of refugees who have come to the area, for obvious reasons.

I have spoken to some of these agencies that have been listed by the member for Mississauga South, specifically the Children's Aid Society of the Region of Peel, Family Services of Peel, Peel Children's Centre, the Social Planning Council of Peel and the United Way of Peel Region. To be quite frank, I question how they will be able to

operate adequately under the circumstances that have been described in this House today. I think we all agree that by ignoring these early stages of problems, if we do not deal with them, there is no question—I see a pile of notes here beside me from the member for Mississauga South where she could tell very upsetting story after story, and she could go on. Time does not permit that.

But looking at it from another point of view, the whole issue of the economics of it, the Attorney General stands up periodically and talks about the explosion in the court system. If we do not deal with this problem now, the problems the Attorney General has are minute. I would hope the government would consider that and not just simply say this is a problem that is common throughout the province. It is, but it has accelerated to unbelievable proportions in the region of Peel and must be looked at immediately.

1140

Mr White: I rise to speak on this issue. First, I want to commend the Fair Share for Peel Task Force on its excellent work. It has dealt with a very significant issue in a very responsible way. It has addressed the concerns in Peel region I think quite adequately. However, this is a provincial House, not a regional municipality council.

As a professional social worker, I have worked with abused children in children's aid societies. I have worked in children's mental health centres and, for some 11 years, in a family service agency. I know many of the people who are working in those front-line agencies. I have worked in many of those front-line agencies and some of those people are close friends of mine.

The Family Services of Peel, for example, has a very credible record in dealing with serious family problems. Its certified social workers offer substantive family violence programs. It deals with battered women and children. The children's aid society of course helps vulnerable children who are in serious risk of physical or emotional abuse. These are not issues to be taken lightly.

The underfunding issues which the members opposite address are prevalent throughout the GTA. Exponential growth affects York, Durham, Halton and Peel. Where were the members last year? The member for Dufferin-Peel speaks about how these are emerging issues. Where was the member for Mississauga North last year? Has he suddenly discovered these problems? This Peel task force did not initiate itself on 6 September. These problems have been with us for more than a decade.

Last year and last decade I was dealing with those issues. I was dealing with victims of childhood sexual abuse. I was helping heal wounded families under the very circumstances that are described here, with these kinds of waiting lists. When I phoned people who had been on a waiting list for eight months or nine months or 10 months about their marital problems and they told me, "Gee willikers, my husband left"—

Interjections.

The Deputy Speaker: Order.

Mr White: —I know what that means. It means they needed those services then, when they applied, not nine or 10 or 12 months later.

In Durham region, an area significantly affected by the same kind of exponential growth and the same problems in terms of funding, the family counselling department, which has been with the region since its creation as a region, is provincially funded in part. In the early 1980s the previous Conservative government wanted to close the department that offered those valuable services to families.

Last year when pay equity adjustments came in, the Liberal government, which introduced pay equity under our pushing, refused to pay those pay equity adjustments. The regional municipality had to assume those costs. The regional municipality in Durham does an excellent job in offering services throughout the region on a decentralized basis.

The staffing problems that children's aid societies are faced with throughout this area are not problems in Peel alone. I know we have had serious problems in Durham region. We have had shortages of some 10 or 11 people from already too heavy workloads. Why? Because they are living in an area which is so expensive to live in and because their salaries are so low, they cannot afford to work for nothing.

We have a social planning council which, unlike the one in Peel, was sabotaged by a lovely Liberal who thought the best way to offer social planning was to get rid of the social planning council. We have different means and different areas of dealing with these things, but it is a greater Toronto area issue. It is a problem not for Peel, not for Halton, not for York, not for Durham alone, but for all of us.

I want to deal also with the issue of whose problem this is—the provincial government, yes. The provincial government should develop and is in fact developing methods to deal with these exponential growth issues. I have spoken in my area with the regional office of the Ministry of Community and Social Services about serious issues around underfunding on the same basis for services for the developmentally challenged in my area. Yes, the provincial government has an overall responsibility, but I want to look at some of the agencies that are looked at here.

The Peel FSA is dealt with extensively in this report. The Peel FSA received no money from the provincial government. It is funded through the United Way; it is funded through the regional municipality.

Is the member suggesting that the province should walk in and take over a voluntary agency? Should the province walk in and take over the United Way as well? The regional municipality has not offered any increases, has not taken any responsibility for these services, has not increased its fee for services. Is the member suggesting that the province should dictate to the regional municipality what it funds to Family Services of Peel? I think not.

In this report it clearly states that the regional municipality has put a freeze on increases in day care. We know from our minister her and our commitment to day care in this province. Is the member suggesting that we dictate to

the municipality how many day care spaces should be available in Peel?

Mrs Marland: You know what we are suggesting.

The Deputy Speaker: The member for Mississauga South, please.

Mr White: The Peel Children's Centre has a long waiting list. We all have long waiting lists. Every children's mental health centre in this province does. We had a legislative committee hearing on this whole problem. The ministry is responding to that. Craig Shields is preparing a report on the waiting list problem. I did not see any of the members opposite who were signatories to this in front of that legislative committee. I did not see any of them dealing with that issue then.

I would commend the members for the representation of their constituencies. I would gladly vote for this resolution too if it included the whole greater Toronto area.

Mrs Marland: Where do you think Peel is? It is in the greater Toronto area. Do you not know what the GTA is? It is time you learned.

Mr White: As it is put, however, the member is suggesting that Peel region be valued above other areas.

Interjections.

The Deputy Speaker: Order. The member for Mississauga South, please.

Mr Sola: This is supposed to be a non-partisan issue, yet I am concerned, from the remarks of the members on the government side, that it is becoming a partisan issue.

Let me just read a list of the names of people and organizations in support of this resolution and of this study: Boys and Girls Club of Peel, Brampton Neighbourhood Resource Centre, Brampton-Caledon Association for the Mentally Retarded, Caledon Parent-Child Centre, Caledon Information Centre, Canadian Mental Health Association—Peel, Catholic Family Services of Peel-Dufferin, Children's Aid Society of the Region of Peel, Community Living Mississauga, Distress Line of Peel, Dixie-Bloor Neighbourhood Drop-In Centre, Elizabeth Fry Society of Peel, Erinoak, Family Services of Peel, Fieldgate Nursery and Child Care Centre, Hospice of Peel, John Howard Society of Peel, a letter from all the local MPPs, Mississauga Community Legal Services, Nexus Youth Services, Our Place Peel, Peel Children's Centre, Peel Board of Education, Peel Regional Police, Rapport Youth and Family Counselling, Regional Municipality of Peel, Salvation Army Family Life Resource Centre, Social Planning Council of Peel, and the United Way of Peel Region.

From this list, it must be obvious to everyone that this is a non-partisan issue.

Let me read you a list of the MPPs who signed that letter: There is the member for Brampton North, the member for Brampton South, the member for Dufferin-Peel, my office for Mississauga East, the member for Mississauga North, the member for Mississauga South, and the member for Mississauga West.

I am afraid, when you take a look at who is representing Peel and the remarks of the members opposite, that it

comes down to the people whom the people in the region of Peel elected to serve them. From that list that I just read, there are five Liberals, two Progressive Conservatives and zero New Democrats. I hope this list of members is not clouding the decision-making process of the government.

I must state as well that from other sources the government has funded or not funded in other regions, be it health or be it education, we are getting a definite perception that it is the political makeup of the representation of Peel that is uppermost in the mind of this government.

The Mississauga News of Wednesday 5 June says, "Embittered over meagre provincial funding, members of Peel's public and separate school boards contend Ontario's NDP government is allocating funds on the basis of political affiliation instead of need." I hope this perception does not linger.

Mr Ferguson: You do not believe that.

1150

Mr Sola: That is the perception. Those are not my words.

I want to point something else out that the member opposite stated about the member for Mississauga North asking for special consideration for Peel.

In a Toronto Star article of Wednesday 23 January, entitled "Peel Health Services Face A Funding Crisis," there is a little item that says: "In 1989, according to the latest statistics, Peel had 8%, or 187,000 of Ontario's children under age 17, but received only 3.3% of Ontario children's services dollars. Metropolitan Toronto, on the other hand, had 16%, or 374,000 children, and received 25.2% of provincial funding." In other words, Metro Toronto had double the number of children but almost eight times the funding that Peel got. I think that should be in the mind of the government when it is allocating funds.

In order to leave time for my colleague the member for Brampton North, I just want to leave the government with these words: Public perception becomes public reality.

Mrs Cunningham: It is with some degree of concern that I stand this morning and speak once again of the need of a complete overhaul of the delivery system for social services in Ontario, and I will say that this is not new.

Many of us have been involved in the report of the Provincial-Municipal Social Services Review Committee. There were recommendations made with regard to responsibility for the provincial government and the municipalities in the area of social services, and the report proposes a new framework for provincial-municipal management of the social service system that clarifies and realigns the responsibilities of the two levels of government.

It is a complicated report. It is a report that a lot of social service workers, a lot of families, a lot of municipalities, gave a lot of their time to over a long period of time. The committee was first established in 1987 and absolutely nothing was done about it by the former Liberal government. Now we are facing another government that feels quite free to come forth with recommendations outside of a very broad framework, and I am talking about the Back on Track report.

When the municipality of Peel and other municipalities spoke, the Fair Share for Peel Task Force spoke very much in favour of an overview of social services, and gave specific examples in its report of how things are not working.

Mr Hope: First of all, there was a comment made about the Minister of Community and Social Services ignoring this issue. I must assure the member that this government has not ignored the issue dealing with children's services in this province. As to the letter that the minister had sent, yes, I will follow up and see if correspondence was sent.

Rest assured that the accusation saying this minister has ignored the situation that occurs in Peel is a false statement. I think it is very important, as I listen to some of the concerns that are raised by the members of the opposition, to look at the impacts of what has been taking place with the budget. They seem to float on their buses through the province and talk about the budget and about increasing spending. This problem exists throughout this province. This is a provincial government that deals with provincial issues dealing with children's services. There are a number of them. There are 22 children's aid societies reporting deficits of \$3.7 million in this province, and 23 of them reporting a \$1.9 million surplus.

I understand the resolution very clearly. Being the parliamentary assistant to the minister, I know we are caring about the people of this province. Dealing with the economic climate that is upon us today, we are trying to make positive movement in helping out. But dealing with the resolution in the time frame it puts forth is such a complex issue. It is important that we deal with it as soon as possible.

The Deputy Speaker: I would just like to remind the member for Chatham-Kent that sometimes you have to be very careful in the choice of words that you use. It is just on the eve of being not acceptable in this House.

Mr McClelland: There is limited time to address an issue of very significant concern. My friend the member for London South had some comments that she wanted to get on the record. The fact remains that this has been touted as a non-partisan issue, but it flies in the face of some of the comments that we heard from the opposite side of the House, particularly from the member for Durham Centre.

I want to call him to task on it directly and forthrightly, and say that if he can stand in his place and try to slough this off by suggesting he is not supportive of it because it is Peel only, then clearly, after standing in his self-righteous manner saying that he was a deliverer of service and understands it, to stand up in the same breath and say he is not supporting it because it does not address a broader concern means he either does not understand it or he has chosen to play a little bit of political game with this.

I do not know which one it is, but it is one or the other. The member for Durham Centre had better look very carefully at his comments in Hansard. If that is representative of what he is saying and of his government, I think he will have an accounting in five years.

This resolution calls for a revamping of the system over a five-year period. It is not Peel only. This by its very

nature is using Peel as a focus, but the resolution is the leading edge in terms of a review of the system across the province. If the member's government cannot do it in five years, five years from now he will certainly not be around to respond and he will not be in government.

It is very interesting that his own minister has paid lipservice to the very fundamental changes that are required. His Premier said, as they were sworn into power, that the overwhelming responsibility of this government was to deal adequately and responsibly with overhauling the delivery of social services in a method that is understandable, that builds on planning, that builds into the year 2000 and beyond.

Now the member says he cannot support it for a number of reasons that, quite frankly, do not make any sense at all. His response has been to the Back on Track report. My friend the member for London South wanted to get this on the record. I think it is important and it is indicative of where his mind is. His response to the recognized need for an overhaul and a comprehensive review of the social service delivery system is the Back on Track report. It is a piecemeal response that has virtually every municipality and every regional government in this province upset. He responds by saying he is going to extend benefits to 16- and 17-year-olds living at home and he is eliminating home visits. That is his response to this issue. Furthermore, his Premier is not even prepared to meet with leadership with respect to that issue either.

I am really concerned when we stand on a issue of this grave significance to men, women and children in the region of Peel and indeed across the province and get the kind of response we have had today. I would hope many of the members opposite would consider this in the light of their own conscience and the issue at hand, and not to be swayed by some irrelevant argument about whether it is parochial in nature. Certainly it is worded in that sense, but the underlying principles are with respect to delivering a system that builds on planning and, as my friend the member for Mississauga South said, is based on an issue of fairness and equity.

My friend the member for Durham Centre stands there with self-righteousness and says, "What wonderful people we are and we know how to deliver," and then plays little word games and says, "But we're not going to support this because it doesn't represent the entire province." That is absolute nonsense. I say to the member that he should read his comments and rethink them and be very careful when he is called to task back home with what he has to say about that.

This resolution brought by my friend the member for Mississauga North is, if we give it careful consideration, indicative. It is a local focus of a major problem that has to be addressed that affects real people every day. The issues underlying it are fairness, equity and justice for children, and if members find they can stand and vote against that, I challenge them to do that.

I conclude my comments by saying I am proud of the work that has been done by the Fair Share for Peel Task Force, many of whom are here in the gallery, and the work done by my friend the member for Mississauga North.

Mr Offer: First I would like to thank all those members in my party and certainly in the third party who have spoken in support of this resolution. With respect to the comments made by the members on the government side, I can only think of three words: shocked, appalled and disappointed.

I would have truly hoped they would have taken the time to read the resolution. Those comments that were made by every one of those members who said that this is a matter which applies only to the region of Peel means they have not read the resolution. I think it behooves me, in the very short period of time left, to re-read that it states there are problems in the region of Peel because it is a region of a growing nature, that there is "the need for a consistent method of allocating provincial grants for social services," and it asks the Minister of Community and Social Services to take "concrete steps to increase the service base to a satisfactory level over a five-year period" and to "develop an equitable funding formula that recognizes population growth dynamics and social indicators."

The words "in the region of Peel" do not appear at the end of that resolution. This is a resolution which is asking that there be a consistent method for equitable allocation of provincial funding for all areas in this province. The region of Peel is one such area that has exhibited such growth, but it is not the only area. I cannot believe that the members of the government side would stand in their places and say, "This is but a region of Peel issue." It is an issue which affects everyone in this province. It is an issue

of children, of families, and the government members have turned their backs on them and have said no to consistent provincial allocation of dollars, and for that they should be ashamed.

SEWAGE TREATMENT

The Deputy Speaker: Mr Johnson has moved resolution 16.

Motion agreed to.

1211

SOCIAL SERVICES

The House divided on Mr Offer's motion, which was agreed to on the following vote:

Ayes—27

Bradley, Brown, Callahan, Carr, Cordiano, Cousens, Elston, Harnick, Haslam, Jordan, Mancini, Marland, McClelland, Miclash, Murdoch, B., Offer, Perruzza, Poole, Silipo, Sola, Tilson, Turnbull, Villeneuve, Waters, Wessenger, White, Wilson, J.

Nays—23

Abel, Christopherson, Cooper, Drainville, Duignan, Ferguson, Frankford, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Lessard, MacKinnon, Mathysen, Mills, O'Connor, Stockwell, Sutherland, Wilson, F., Wilson, G., Wiseman.

The House recessed at 1214.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

BURGOYNE FAMILY

Mr Bradley: On the evening of Monday 10 June, I had the privilege of attending the fifth annual Leonard B. Herzog Memorial Foundation dinner, which this year was organized in the form of an appreciation night for the Burgoyne family of St Catharines.

For over a century, members of the Burgoyne family have played a significant role in our city as publishers of the St Catharines Standard, an independent and community-oriented daily newspaper, and through their benevolence and generosity in supporting charitable and community endeavours.

When athletes skate, play hockey or lacrosse or enjoy recreational events in the north end arena, they are in a structure, the Bill Burgoyne Memorial Arena, which received a generous donation from the family before the sod was broken. When families gather in the south end to enjoy the outdoors in the 122-acre forested area in the heart of the city, they are in Burgoyne Woods, a beautiful tract of land purchased by the estate of W. B. Burgoyne. When students at Brock University interested in business utilize a new entrepreneurial centre, it will be the Burgoyne Centre for Entrepreneurship, funded by the family.

Virtually every aspect of life in St Catharines has been touched by the contribution of these outstanding Canadian citizens, and it was fitting that Dorothy Doolittle, her son, Standard publisher Henry Burgoyne, and her daughters, Janet and Harriet, were publicly thanked by the people of St Catharines for their service to our community.

The net proceeds of the event, as usual, go to the Leonard B. Herzog Memorial Foundation in aid of St Catharines hospitals. Appropriately, its chairman is Henry Burgoyne.

CHILD CARE

Mr Turnbull: On Monday 17 June, parents in my riding and in five other ridings across Metropolitan Toronto are holding a public forum on the question of equality of provincial funding for school-based child care centres in Metro Toronto.

Outside Metro, every new school funded by the Ministry of Education gets a new 100%-funded child care facility. In Metro, all costs for child care facilities must be paid for by property tax dollars. Presently there are over 200 child care programs in Metro schools. However, the space is not guaranteed for child care. If the school requires the space for other uses or the school is rebuilt, child care may be forced out. When existing schools in Metro are replaced, the existing school-based child care spaces are not being rebuilt. Existing child care spaces and the associated jobs are lost, not because there is a lack of need but because the provincial government discriminates in its funding policies against the citizens within Metro.

When the Premier and the NDP ran for election, they promised provincial funding for 100% of the costs of child care facilities in Metro schools. The citizens of Metro Toronto ask to be treated the same as all the other citizens in Ontario. They ask the Minister of Education to provide funding for child care on the same basis to Metro schools as to all other schools in the province.

NIAGARA-ON-THE-LAKE

Ms Haeck: This Saturday, 15 June, people visiting Niagara-on-the-Lake will have the chance to peek behind the scenes and look into some of the quiet, private places in that lovely little town.

How is that possible? On Saturday, the Niagara Conservancy will be holding its annual garden tour. For \$10 participants can visit 10 private gardens, large and small, around the town. The tours will begin at 10 am and run until 4 pm. The money raised by this event will allow the conservancy, long known for its efforts to protect the environment of Niagara, to purchase a piece of land along the Niagara River and turn it into a new park.

Those of you who live a considerable distance away from Niagara can make the garden tour just part of a relaxing weekend in Niagara-on-the-Lake, attend a play or two at the Shaw Festival, visit historic Fort George, walk the charming streets of the old town, visit one of the wineries in the area, attend this weekend's strawberry festival at St Andrew's Presbyterian Church and stay over in a charming bed-and-breakfast residence.

Can you think of a better way to spend your weekend? I cannot, and I hope you will all come.

SOCIAL SERVICES

Mr McClelland: I am happy to say that today a resolution standing in the name of the member for Mississauga North received the approval of this House. That resolution advanced the tremendous work done by the Fair Share for Peel Task Force and called for, among other things, a five-year initiative to develop an equitable funding formula for the delivery of social services, with particular reference to children's services in high-growth areas.

In February, though, a letter was sent to the Minister of Community and Social Services signed by seven members of this House, requesting a meeting with the minister and representatives of the task force. To date, none of us has received a reply.

In mid-April, one of the minister's staff met with representatives of the task force, responded favourably to its submissions, acknowledged the existing inequities in funding and committed to following them up. That follow-up meeting is now tentatively scheduled for September.

We are perplexed that a minister and a Premier who have acknowledged this serious problem are unable not only to deal with this important issue expeditiously but are unable or perhaps unwilling to meet with agencies that are representing 8% of the child population of this province. Even more surprisingly, indeed shockingly, a significant number of members of the government caucus voted

against this very important resolution. Many of us are wondering, how could those government members today vote against addressing an unfair and inequitable situation, as acknowledged by the Premier and a senior cabinet minister?

When it came time to vote today, many government members apparently forgot what their party and their leader have said in the past. Once again, that was then, but I guess this is now.

DENNIS THOMPSON

Mr Carr: Police officers serve to protect us. They put their lives on the line every day. We do not do nearly enough to thank them, and it seems only in times of tragedy do we stand up and publicly tell them how much we appreciate them. Today, unfortunately, is no exception, but I would very much like to pay tribute to Sergeant Dennis Thompson of the Peterborough detachment of the Ontario Provincial Police.

Sergeant Thompson was hit by a shotgun blast on 17 May as he approached a stolen taxicab. He was operated on to remove shotgun pellets from his eyes. Doctors were hoping he would regain his sight; however, Sergeant Thompson has been told he will never see again.

Dennis Thompson is recovering at home and is very optimistic about the future. He is looking forward to rejoining his detachment and to continuing his community activities, especially as cub scout leader with his five- and eight-year-old sons.

Dennis Thompson is a dedicated police officer and an inspiration to us all, and I believe I speak for the entire Legislature when I say we wish him well.

SENIOR CITIZENS' MONTH

Mrs MacKinnon: I am very pleased, as a senior, to speak to the House today and inform everyone that June is Seniors Month. Some three million Canadians are 65 years old or more. This means that more than one in every 10 persons in Canada is a member of the senior population. Many activities will be celebrated across the province during the month of June, recognizing the invaluable contribution seniors make to our communities. Millions of dollars are saved each year through the dedication of seniors volunteering in their communities.

Without seniors' dedication, no government could ever pay for or provide the amount of time and dollars seniors contribute through committees, special events, recreation and the sharing of their knowledge. Seniors are more active today than ever before. Some of us even start new careers at age 65.

I am very proud to be part of the seniors being recognized during the month of June and encourage all members to take the time to say thank you to the seniors who have helped strengthen their communities and continue to work for a province we can all be proud of. I take this opportunity to thank the seniors of my riding in Lambton county for all their generous contributions that they have given throughout the years and continue to give.

NORTHERN ONTARIO

Mr Miclash: Last week the Liberal budget task force travelled across northern Ontario. The two words which

best sum up the feelings of northerners towards the NDP government are fear and anger; fear of what the socialist government is doing to the already fragile northern economy and anger at the cynical NDP "that is then, this is now" mentality.

This is the party which promised a \$400-million northern fund. This is the party which promised four-lane highways from Keewatin to Kirkland Lake. As well, this is the party which promised to buy 100% of its uranium from Elliot Lake. This is also the party which deceived northerners with promises of one-price gasoline across the north but raised gas prices by 30% in its first budget. This is the party whose task force on northern health care made promises to northerners, only to be shelved by the Premier's Toronto cabinet.

For the last eight months the people of northern Ontario have come to expect one of these five NDP responses: (1) "Sure I can promise that, but I can't deliver"; (2) "It's under review"; (3) "It's not our fault. Talk to Brian"; (4) "Sorry, the Premier won't let us," and (5) "It wasn't the Agenda for People, it was the agenda for power."

Northerners have their own answer for the NDP—they want them to stand up and deliver.

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LAND USE PLANNING

Mr B. Murdoch: Yesterday the Minister of Municipal Affairs announced that he was setting up a commission of inquiry to look into land use planning in Ontario. He said that it would operate in an open and informal way, "consulting and seeking consensus." It appears already that this is a farce.

Apart from the fact that planning decisions should be the responsibility of his ministry rather than that of yet another publicly funded, bureaucratic body, this commission clearly is not impartial. How can they claim to be openly consulting when the chairman of the commission said at a press conference yesterday that one reason for the inquiry was to prevent what was happening in Grey from happening elsewhere?

Exactly what did happen in Grey? Any alleged or perceived planning wrongdoings in my riding are in the eyes of the minister, not the people of Grey. How can we have a commissioner who, before he even begins his work, has a strong bias against the actions of any county council? How can he even pretend to examine the issue fairly when he has already formed his opinions? These are not the words of an open-minded person. If the minister is honestly seeking fairness for the public for this province, he must remove Mr Sewell immediately and appoint someone else who can look fairly into the issue without perceived prejudice.

MULTICULTURALISM

Mr Mammoliti: Today I would like to take the opportunity to speak a bit about what makes not only Ontario but Canada so unique. We are a multicultural society. Every one of us should never forget his roots. We are Canadians, but we are encouraged to celebrate our ethnicity and that is what makes us so special.

I am an Italian Canadian and I am proud to say that my ties to my culture are very strong. I am very pleased to have with us today in the west gallery a respected representative of the Italian government's ministry of natural resources, located in San Giorgio Moggezzo of Reggio, Calabria, Signore Michele Carrerri and his wife Concetta.

I have had the pleasure to meet with Senor Carrerri and exchange information regarding both our homelands. Not only was I given the chance to learn more about my origins, I was able to share with him my pride in Canada.

STATEMENTS BY THE MINISTRY

NATIVE ISSUES

Hon Mr Wildman: Members will recall that on 28 March I told this House that the government of Ontario intends to resolve the 200-year-old land claim of the Algonquins of Golden Lake first nation.

At that time I announced that a statement of intent was signed with the first nation to begin land claim negotiations by 15 June. We also committed ourselves to negotiating interim arrangements with the Algonquins of Golden Lake regarding their aboriginal right to hunt and fish for food in the area they claim as their traditional territory. Today I am pleased to announce that negotiators representing the province of Ontario will meet with negotiators from the Golden Lake first nation on Saturday 15 June in Golden Lake to begin the process of resolving the land claim.

At this time I also want to inform the House that the province has appointed the law firm of Sack, Goldblatt and Mitchell as Ontario's negotiators for the land claim. The negotiators will be supported by the staff of the Ontario native affairs secretariat and line ministries such as the Ministry of Natural Resources and the Ministry of Tourism and Recreation.

A primary responsibility of the negotiators will be the development of a process that will allow Ontario to consult with the public and interest groups and the first nation to consult with its members.

Progress is continuing on the interim arrangements on hunting and fishing as well. It is our intention that we will have agreements with the first nation which incorporate its community rules that spell out such matters as hunting and fishing seasons, harvest levels, enforcement provisions and public safety measures.

There has been a lot of attention focused on these issues. One reason, of course, is the size of the claim—14,000 square miles of the Ottawa River watershed. The second reason, however, is that Algonquin Provincial Park is included in the land claim area and the future of the park is an important issue to Ontarians.

Last week, I responded to the recommendations of the Provincial Parks Council on the Algonquin Provincial Park management plan. I made it clear at that time that this government is committed to the protection of Algonquin Park's natural and cultural features, while ensuring that it provides a variety of recreational experiences for all Ontarians.

I expect the negotiations leading to a settlement of this land claim will be complex. For instance, it is essential that

the government of Canada be fully involved because of its fiduciary responsibility for aboriginal peoples. To this point, Canada has agreed only to send an observer to the negotiations. Ontario has taken the position that where it has a clear responsibility and the authority, it will negotiate with aboriginal peoples with or without the federal government.

The statement of political relationship that we concluded last week with the chiefs of first nations in Ontario clearly recognizes the limits of Ontario's constitutional authority. Still, there are matters such as crown land and natural resources that are the responsibility of Ontario. We will be prepared to address issues such as these.

In addition, Ontario and the Golden Lake first nation must address an overlapping claim by the Algonquin nation of Quebec, and non-status Indian people of the Algonquin nation in Ontario have indicated their interest in the Golden Lake land claim. We must address both of these issues.

Ontario will also keep its commitments to consult with third parties during the course of the negotiations. We will consult with those with interests in areas such as tourism, recreation, the environment, industry and business as well as municipalities.

I believe we can reach a settlement that is satisfactory to all, a settlement that recognizes the rights of the Algonquins of Golden Lake first nation and improves the circumstances of their lives. At the same time, a settlement will respect the interests of a wide variety of non-aboriginal people in Ontario.

Through land claim settlements such as these, we believe our respective communities can find an honourable way of settling historic grievances and living together in harmony. It is my sincere wish that everyone with an interest in this issue will show the patience and understanding necessary to permit such a settlement to be negotiated.

OCCUPATIONAL HEALTH AND SAFETY

Hon Mr Mackenzie: I am pleased to announce today key amendments to the construction projects regulation that will contribute greatly to safer and healthier construction projects. These changes demonstrate the government's strong commitment to improving health and safety in the workplace.

The construction industry, like all others, is adapting to rapidly changing technologies which have resulted in new work practices. In its continuing effort to keep pace with changes in the workplace, the Ministry of Labour initiated an extensive review of existing regulations.

Recommendations made during this review by labour, management, health and safety groups, coroners' juries and others were carefully considered when the amendments I am announcing today were drafted. These amendments will come into effect on 1 August.

A number of the new requirements involve protecting workers from falls from heights. This type of accident has been a major cause of construction workplace fatalities and critical injuries.

Under the amended regulation, there are no longer any exceptions to the provision and use of fall-protection equipment such as safety harnesses. Employers will now

e required to ensure that workers involved in erecting the skeletal framework of a building, for example, are provided with complete fall protection.

Sections of the regulation have also been strengthened concerning the design and construction of scaffolds and, in certain cases, the services of a professional engineer will now be required.

In the construction of high-rise buildings, there will now be more stringent requirements for the design, testing and inspection of temporary formwork. Here too the services of a professional engineer may be required to ensure structural integrity.

350

Another source of potentially serious accidents is the improper installation, use and maintenance of tower cranes. An unsafe tower crane can result in death or serious injury to its operator, other construction workers and even the general public.

The new regulation sets down more stringent requirements for the design, installation and testing of these cranes. In addition, crane owners will now be required to keep permanent logs and records of all maintenance, repair and testing of their cranes.

The provision of adequate hygiene facilities, such as toilets and running water, for workers on construction projects has been a problem. The availability of adequate toilet and cleanup facilities is taken for granted in most other workplaces. We believe construction workers deserve the same consideration. Increased hygiene concerns dictate that the quality and quantity of hygiene facilities must be improved on construction projects.

The new regulation will require that flush toilets and running water be provided at most construction sites. At least one flush toilet will be required for every group of 15 or fewer workers. The only exceptions to the regulation will be for sites in extremely remote areas, on projects of a very short duration or where there are logistical supply problems. In these cases, however, the contractor will be required to consult with the project's joint health and safety committee or representative about acceptable alternative facilities.

Serious injuries and fatalities due to electrical shocks and burns are another major concern of my ministry. As a result, we have greatly expanded the sections governing electrical work to provide for specific safety procedures for working with live electrical systems and for rescuing injured workers. Sections of the regulation dealing with high-voltage electrical systems will incorporate the rules set out in the rule books of the Electrical Utilities Safety Association of Ontario and Ontario Hydro.

Excavations and trench cave-ins have also been a cause of serious injury and death. Key amendments in this area will involve more stringent sloping and shoring requirements to prevent cave-ins.

These revised regulations reflect the government's determination that everything that can be done will be done to ensure safe and healthy workplaces in Ontario. They also reflect the Ministry of Labour's continuing effort to make certain its legislation keeps pace with the changing technologies of today.

EDUCATION POLICY

Hon Mrs Boyd: I wish to advise members today that I am introducing a bill to amend the Education Act. Many of the amendments in this bill are housekeeping matters; however, some reflect recent ministry policy initiatives.

These amendments are based on proposals which were sent to a broad range of stakeholders, although the time for response was necessarily short. I intend to send a copy of this bill to those same stakeholders to provide an opportunity to them for further comment.

I will not take the time now to go through all of the amendments. However, I do want to bring some of them to the members' attention.

When a teacher is convicted of a criminal offence which would place students at risk, the minister has the authority to suspend or cancel a teacher's certificate after a careful and serious review of the circumstances.

Currently boards are not required to notify the minister, although many do. We propose to make it mandatory for school boards to inform the minister in such cases to ensure that the minister and ministry officials have the opportunity to review the situation. I believe this particular amendment will close a loophole in a matter that has been of concern to parents and many others in our community.

Among other proposed amendments to the act are measures to ensure that all school boards have drug education policies and anti-racism and ethnocultural policies in place. We are also clarifying measures for the transfer of schools from one board to another.

These are some of the changes. As I said, there are a number of other amendments to the act in this bill and I will speak to those when I introduce the bill.

RESPONSES

NATIVE ISSUES

Mr Offer: I would like to respond first to the statement by the honourable minister responsible for native affairs.

Certainly, we commend the commencement of the negotiations with the Algonquins of the Golden Lake first nation on a claim which has long been seen to have legitimacy.

We know the discussions will be complex and lengthy but we also indicate that there are still some questions outstanding. The first question is the real role of the federal government in these negotiations. Second, we would like to know a little bit more about the overlapping claim of the Algonquins of Quebec. These are two matters outstanding which we do indeed believe require responses.

We recognize that land claims are sensitive issues and there is a need to maintain good communications with the non-native interests as these proceed, given of course the multiplicity of uses on crown land.

In general, on this particular announcement, we certainly do commend the commencement of such negotiations.

OCCUPATIONAL HEALTH AND SAFETY

Mr Offer: In regard to the announcement by the Minister of Labour, certainly our party is supportive of the measures which increase safety for workers on the job. That is why Bill 208 was brought forward, introduced and

passed by the previous Liberal government under the tutelage of the previous Minister of Labour, the member for Scarborough-Agincourt. That, of course, is a bill which reinforces the partnership of business and labour and achieves the important goal of enhancement of safety in the workplace.

Though I note that the current Minister of Labour was in opposition to Bill 208 when it was brought forward by the previous Liberal government, it is nice to see a letter which appeared in the *Financial Post* of 19 March, signed by the Minister of Labour, which states, referring to Bill 208:

"This legislation represents some of the most progressive health and safety regulations in North America. We believe its provisions for training and education under the umbrella of the Workplace Health and Safety Agency will prove an effective tool in achieving safer, healthier and more productive workplaces."

The Minister of Labour knows that is a letter which he himself signed. We certainly relish that type of letter and that change of direction by the Minister of Labour, finally recognizing that Bill 208, brought forward by the Liberal government, by our Minister of Labour, the member for Scarborough-Agincourt, is one of the most progressive bills to provide safety in the workplace.

Though we still want to take a look at the very extensive regulations brought forward, we certainly believe this is a step in the right direction. We do reserve the right to take a hard look at those regulations, but indeed with some of those aspects, as brought forward, we are in support of the direction as one which builds upon the Bill 208 legislation brought forward by the previous Liberal government.

EDUCATION POLICY

Mr Beer: I rise to respond to the statement by the Minister of Education. We look forward to a number of the specific amendments that she has mentioned and will need, I think, to take some care with respect to the kind of authority that the minister would have in dealing with teachers convicted of a criminal offence, in seeing exactly how that would be exercised. But the direction is one that certainly makes sense at this time.

We also note that the various actions being taken with respect to drug education and anti-racism and ethnocultural policies are ones that a number of boards are taking and are important.

I want to focus on that measure which talks about clarifying measures for the transfer of schools from one board to another. I want to echo the comments of my colleague the member for London North yesterday, that we must ensure that never again does a community like Essex in this province have to go through what it has gone through over the past weeks and months. I quote one of the parents, who said in the *Windsor Star*:

"It was unfortunate the dispute had been allowed to drag on for so long. It makes for deeper wounds that take longer to heal. In one sense it has drawn different communities together to fight for community schools, but internally it has done damage within a community because of what's been said between friends and neighbours."

Very simply, this whole issue in Essex need not have happened. It was the government's incompetence—and I stress it was the government's incompetence—that allowed that to happen. A settlement had been worked out by the previous government, which was set aside, and in the end that is what we returned to. That must never, ever happen again.

1400

NATIVE ISSUES

Mr Harnick: I would like to respond to the minister responsible for native affairs. It is interesting, in passing, that the law firm of Sack Goldblatt Mitchell has been retained as Ontario's negotiators for the land claim, the firm the Premier did his articles with. It is a labour firm that acts on behalf of unions. I find it passing strange that they are going to be negotiating a complicated land claim.

Hon Mr Wildman: Are you suggesting they are incompetent?

Mr Harnick: No, not at all. They are terrific labour lawyers.

At any rate, I hope the minister remains true to his obligations, not just to the native communities but to those who are also affected, so that at the end of the day the people who are also affected by the satisfying of the land claim, which we hope will happen, can walk away and realize that justice has been done for everyone, so that there is not a lingering animosity and so that the development and management of Algonquin Park remain sacred.

EDUCATION POLICY

Mrs Cunningham: I would like to respond to the statement by the Minister of Education. The minister previously has called bills housekeeping matters in this House. We appreciate the fact that she has expanded that to say we are now looking at ministry policy initiatives.

This is quite an extensive bill and we are looking forward to seeing it this afternoon, hoping that the minister will indeed give the stakeholders a fair amount of time to respond as they see the bill in print. We are looking at such serious matters as governance, accommodation, finance, religious education, continuing education and student suspension, and the list goes on to include what the minister herself talked about today, criminal offences by teachers, drug education policies and, more important, the transfer of schools. So we are very serious about taking a look at this.

The minister should know that it took us a very long time to get from her ministry the package that was prepared some time in March, and we would appreciate it very much, if she has any support materials on the discussions that took place in the formulation of this legislation, if she would forward it to the critics as quickly as possible.

I made my voice known yesterday with regard to our concerns about Bill 30. I thank the member for York North for the compliments. I hope the minister will be taking this issue very seriously. We never need experience across this province what happened, I might say, some three years ago in Hamilton, Ontario. It did not happen in London, Ontario, but did happen again in Essex. I hope this bill will

clarify for all parents and students and teachers in this province procedures that are so important to the quality of life and education.

OCCUPATIONAL HEALTH AND SAFETY

Mr Tilson: I would like to respond to the statement of the Minister of Labour. With the growing number of deaths and injuries with respect to the construction industry, I think this type of legislation is necessary and many of the safety aspects are necessary. However, there are certain items that I am sure the minister will have to spend a little bit more time on.

Specifically, I look at the subject of generalizing throughout the entire industry, comparing all construction sites as if they were the same. Surely there are differences with small sites and large sites, for example, with the necessary requirement of scaffolds and engineers in part of the statement. Surely there must be some clarification with respect to small job sites.

The same goes with respect to flush toilets and the necessity that workmen be allowed to wash their hands. There gets to be a certain predictability to requiring certain requirements like that, specifically again in small job sites. I would like to know how many consultations he has had with respect to workmen having the desire to wash their hands. I cannot believe it is that widespread.

I am also concerned with the cost of buildings. The costs of Bill 4 and Bill 121 have been put on the housing industry. This is going to be more cost to the housing industry and it is going to discourage more and more people from getting into the housing industry.

I would like the minister to take a second look at some of these things. Certainly the legislation is needed because of safety reasons, but we should not get too much bureaucracy, as has been indicated.

As far as the 1 August date depicted is concerned, I question how much consultation has gone into that. It may be too early, and I would hope he would have more consultation than he has indicated with the industry to question whether that date is too early.

CONDUCT OF CABINET MINISTERS

Hon Ms Swarbrick: Mr Speaker, I rise today on a point of privilege. On 4 March I sent a letter to the president of the College of Physicians and Surgeons of Ontario expressing my concern regarding the college's decision to allow a doctor to continue practising medicine despite four convictions for child sexual assault. In that letter I said that although the decision to revoke the doctor's licence was pending an appeal of his convictions, it was my recommendation that the college suspend his licence in the interim, based on the fact that he had been convicted on four charges of sexual assault involving girls between the ages of 12 and 15 years.

I rise today to offer the House a profound apology for what I now understand was mistaken and inappropriate action, and I deeply regret any embarrassment I may have caused the Premier and my government.

As I said in my letter to the college: "Sexual abuse involving a doctor and a patient is of particular concern as

it involves a breach of trust and abuse of power. The impact on the victim, therefore, is not dissimilar to that of incestuous abuse."

I wrote that letter out of a sense of responsibility as Minister without Portfolio responsible for women's issues and because I shared the outrage and the distress of the women from the doctor's community, the women who raised the issue with me.

I still have those feelings, but I know my actions were wrong. No matter how strong my feelings, I believe it was inappropriate for me, as a minister of the crown, to attempt to influence a tribunal. Therefore, I have offered my resignation to the Premier.

Hon Miss Martel: Following on the statement made by my colleague the minister responsible for women's issues, I want to inform the members of the House, and through them the people of Ontario, that I also wrote a letter concerning this matter. My letter, written on constituency office letterhead as the MPP for Sudbury East and dated 11 April 1991, reads as follows. It is addressed to Ed Singleton, Registrar, College of Physicians and Surgeons of Ontario.

"Dear Mr Singleton:

"Recently you would have received correspondence from Jan Steven, consumer representative on the maternal, newborn and paediatric subcommittee of the Manitoulin-Sudbury District Health Council. I attach a letter for your easy perusal and wish to make this comment.

"The conviction of Dr Mohan of North Bay is a terribly serious matter and one that needs to be given much more weight and consideration by the college. It seems to me that Jan Steven has raised a very legitimate concern regarding why the college continues to allow Dr Mohan to practise, given sentencing on sexual assault charges.

"A change in the position of the college is in order in this matter. I would appreciate receiving a copy of any response you forward to Jan Steven."

While in opposition, I wrote two letters on behalf of constituents to the College of Physicians and Surgeons. However, while my letter was written regarding a constituency matter, I am a member of the government and the cabinet. Upon reflection, I realize that it is difficult for the public to discern between the role of a representative of the constituency and the role of a representative of the government and indeed cabinet. It is not appropriate to write such a letter and I profoundly apologize for doing so.

I deeply regret my error in judgement and any embarrassment this has caused the Premier, my colleagues, my staff and the staff at my ministry. It is clear that the writing of such a letter could be perceived as having exercised undue political influence on the College of Physicians and Surgeons.

Therefore, in order to accept responsibility for this possibility, I have offered my resignation to the Premier. I leave the matter in his hands. Again, I apologize to all the House, to my colleagues and to the public for the error which I have committed.

1410

Mr Nixon: I have a word on the statements by the two honourable members. I need hardly say there is no political joy in these statements, and I can assure the two honourable members on behalf of my colleagues that their reputation and integrity have in no way suffered by these statements. From my own point of judgement in these matters, I would congratulate both of them on the actions they have taken in the House at this time and leave the responsibility where it properly belongs.

Mr Eves: I too would like to make a very brief comment with respect to the statements made by the two honourable members.

The member for Scarborough West knows very well what I feel about her integrity as a minister for women's issues. I have expressed that to her on at least two occasions that I can recall. The minister who is the member for Sudbury East will know that I have had a profound admiration for her abilities and integrity in this House for several years now.

I would like to echo the comments made by the leader of the official opposition that there is indeed no joy in statements such as these made in the Legislature here this afternoon. However, I might add that I think it demonstrates to everybody that there is indeed integrity in the system we all try to serve regardless of which side of the House we are on. I think in that respect, at least, I have more confidence than ever in the system we have here in Ontario.

ORAL QUESTIONS

CONDUCT OF CABINET MINISTERS

Mr Nixon: I am questioning myself the appropriateness of the question, but I believe the Premier deserves to say something about this matter to the House. I think he understands that the feeling expressed by the two spokespersons over here is sincerely felt. Without getting beyond that feeling, the responsibility rests very largely on the head of the government, not only to respond to the offers made by the two ministers but to accept a certain special responsibility for the fact that, in spite of their strong feelings in this regard in this sickening incident, they did not know better. What has he got to say about that?

Hon Mr Rae: That is a very fair question and I will try to respond as fairly as I can.

Let me first of all say to members that, from a human perspective, they will perhaps appreciate that I was totally unaware of either of these letters when I was working this morning with the Premier's Council on Health, Wellbeing and Social Justice.

I know that all of us are supposed to have an instant response to the situation, and I suppose there are those who would say that politically one should have an instant response.

Let me tell the Leader of the Opposition this: I have had a chance this morning, upon hearing of this news and leaving the meeting and speaking with the minister for women's issues, to discuss the matter with her for about half an hour or 45 minutes. We both immediately agreed

that what she did was wrong, that it was completely inappropriate and that however strongly she felt and all of us feel about the circumstances surrounding this case, such a letter should not have been written.

I was not aware of the letter written by the member for Sudbury East until about 45 minutes ago. I did not see the letter until I came into question period and I have not had an opportunity to have any discussion at all with the member for Sudbury East.

I would say this to the Leader of the Opposition: The letters should not have been written. Particularly the letter from the minister, given that it was written as minister for women's issues, should not have been written. It should not have gone to the tribunal. The judge has made his judgement in that instance. I have decided to accept the resignation of the minister for women's issues on the basis of the conversation I had with her this morning.

I hope the Leader of the Opposition will understand when I say I would like a chance to reflect on the circumstances surrounding the letter that was written by the member for Sudbury East. It was written as a constituency member. I do not know whether there are other constituency members who have ever written letters to tribunals, but I suspect there are. I would like a chance to explore that with her and a chance to share that with people and to exercise some judgement in that regard.

If he has any advice, I would be interested in hearing the advice. It is something which concerns me, because the circumstances surrounding this case are particularly difficult in light of the fact that there was a substantial degree and body of public opinion, particularly in the communities involved in northern Ontario, which could not understand why it was that nothing more was being done. I think it is important for members to try to put that in context.

I am not undercutting or underestimating at all the fact that I think in the circumstances ministers of the crown should not be corresponding with tribunals. The rules on that are very clear. It is not a matter of my guidelines or any other guidelines; it is just a matter of the basic rules of the game. But without attempting to avoid the question at all, I would say, in summary, that I have decided, and with enormous regret, to accept the resignation of the Minister without Portfolio responsible for women's issues. But I am still determining, because I think I ought to have a chance at least to speak to the Minister for Northern Development and the House leader to discuss the circumstances under which the letter was written and to respond to the House accordingly.

Mr Nixon: Perhaps there is a special sensitivity, not so much about the ghastly situation that elicited the letters, but the fact that similar matters have been before the House in the recent past. I personally believe that the actions taken by these ministers is exemplary and the decision is where it should be.

In his answer, the Premier indicated that he would like some advice. I suppose if I can give advice in an interrogative way, would he consider reconsidering his acceptance of the resignation of the Minister without Portfolio responsible for women's issues? I think there is a clear understanding of what has happened here. While the Premier

as indicated that he perceives a substantial difference in the situations, I think there would be some understanding in the House and probably in the community if he gave further, more general consideration to the matter. So in response to his answer to my question, I simply say that to him. I will not pursue it further, other than to say, what else is he going to do to help his colleagues in these matters?

Hon Mr Rae: First of all, with respect to the first question by the Leader of the Opposition, I would perhaps appreciate the opportunity to discuss this with him after he has had a chance to reflect with his colleagues, as well as to discuss it with the leader of the third party. I think we all understand the sensitivity of the circumstances we are dealing with in terms of the particular circumstances involving the college. I am, if I may say so, deeply grateful to the leader for the very classy way in which he has responded. I think it is extremely helpful to all of us who are wrestling with these questions.

He asks what else we are doing. I can only tell the Leader of the Opposition that the mistakes this government makes and mistakes ministers make, errors in judgement they commit, are very much made in public. It is a learning experience for a party that has been, I would argue, too long in opposition and he would probably argue too long in power.

I have asked for the advice of the standing committee on administration of justice and I would appreciate further advice from the justice committee with respect to dealing with the question of how one deals with these problems. The fact is, mistakes were made. I think we all recognize the emotion that led to the mistakes, but as Judge Chadwick said, the letter should not have been written, and I think one has to listen carefully to the judge in those circumstances. But we are continuing to try. We had a meeting today to go over it again and to try to get people to understand the seriousness of these situations and I will continue to make efforts. If there have to be other changes made in terms of making it even clearer, I will do so.

Mr Nixon: I said I was not going to pursue it, but if it is any help, I can remember a somewhat similar occasion back in history where one of the Premier's predecessors said to his then colleagues, "Will you stop doing this, because I can't help you."

Hon Mr Rae: Who said that?

Mr Nixon: I forget who. Somebody said that.

1420

TAXATION

Mr Nixon: To go from classy to business as usual, may I direct a question to the Premier on another matter that was raised by myself yesterday with the Ministry of Industry, Trade and Technology and I intended to raise with the Treasurer today. It is the policy of the government of Ontario with regard to the provincial sales tax and the goods and services tax.

We are aware that the leader of the New Democratic Party said clearly before the election that he would have nothing to do with that, and we take him at face value. The Minister of Industry, Trade and Technology, however, said that when it comes to co-operation with the GST and

maybe putting the taxes together, everything was on the table. I do not have his direct quote and I am not going to take time for it. When he answered yesterday, he said that was not one of the alternatives.

Could the Premier make clear what the policy is? He has stated clearly the two taxes will not be put together. Is he thinking of assisting in the collection? Is he thinking of broadening the base of the provincial sales tax to coincide partly or totally with the GST? Perhaps in the absence of the Treasurer and the other minister he could make this matter clear.

Hon Mr Rae: I can only tell the Leader of the Opposition what I know, and that is that we have a provincial sales tax and we regard the GST as a most unfortunate intrusion into an area of taxation that up until very recently has been exclusively the area of preserve of the provincial governments across the country.

There are no discussions going on within the government with respect to the question of harmonization of the two taxes. But he will also know—he was once Treasurer—that the Treasurer reserves very jealously the right to consider tax matters as he prepares for the next budget. That is really all I can tell him. There is no dramatic announcement coming this week with respect to the question of harmonization between our tax system and the GST. We regard the GST as a most unfortunate and counterproductive intrusion into our area as well as an unfair tax on people.

We are having to wrestle with it all the time, as well as with the fact that, with the cross-border shopping issue, we do face now the prospect of revenue losses as high as \$200 million or \$300 million a year, which is very, very substantial. We have to look at that as a government. The Treasurer feels an obligation to look upon that as Treasurer. Beyond that, I really cannot enlighten the Leader of the Opposition.

Mr Nixon: If I may quote from the Financial Post of 12 June: "Ontario Treasurer Floyd Laughren said yesterday the province is considering harmonizing the items to which the provincial sales tax and the federal GST apply...." That is not putting the taxes together, but that is a huge broadening of the provincial sales tax base. If the Premier does not want to or cannot tell me more about it, is there anything he is thinking of telling the Treasurer about this matter?

Hon Mr Rae: There are many things that I think of telling the Treasurer that I might not share with the Leader of the Opposition. We may be chummy, but we are not that chummy. The Leader of the Opposition was on this side as Treasurer and he knows full well that the GST is a massive intrusion into our area of taxation, that it poses an enormous problem for smaller businesses across the province as well as an enormous problem for consumers. He will also know the economic challenges that are facing the province of Ontario.

My short answer to the leader is I cannot enlighten him any further than I have. If we have any further things to tell him, we will let him know.

Mr Nixon: Finally, I quote from a campaign news release of the member for York South, 22 August 1990—that seems so many years ago: “We’re committed to making taxes fairer by saying from the beginning that we will have nothing to do with the Mulroney tax.” That was the most pejorative adjective he could think of at the time and it is pretty good even now. Yet his Minister of Industry, Trade and Technology says that nothing is off the table; he is considering the whole thing. And the Treasurer is saying that we may expand our base to coincide with the GST base, which would be one of the biggest tax grabs imaginable.

How does the Premier square his firm commitment made less than a year ago to the electorate with the statements made by his colleagues?

Hon Mr Rae: Before he gets too agitated, I will simply say to the Leader of the Opposition that he knows full well the circumstances in which the economy of Ontario now finds itself: We are in a serious recession, which is a reality that we face; we have a deficit that is larger than any of us would like to see in terms of its impact on the Treasury generally; we have a need to introduce tax changes that will be fair and effective.

We also have a GST that is now law, the appeals to the Supreme Court notwithstanding. It is the law of the land and it will be the law of the land for the foreseeable future. That is a reality that small businesses and consumers are having to contend with across this province.

There are no plans to harmonize the two tax systems. Beyond that, the matter is in the hands of the Treasurer and will continue to be as we proceed through the budgeting process.

LAND USE PLANNING

Mr Harnick: My question is to the Premier. On 7 September 1990, the day after being elected, the Premier-designate reiterated his previous commitment to establishing an inquiry into the relationship among developers, politicians and government officials.

Yesterday, the Minister of Municipal Affairs announced a commission to study land use planning. Since this commission does not include the relationship among developers, politicians and government officials, would the Premier tell us when we can expect an announcement on the inquiry he originally promised?

Hon Mr Rae: I think I will let that question be answered by the Minister of Housing.

Hon Mr Cooke: I think I indicated to the House yesterday, and certainly as well in the press conference after, that the inquiry we have announced focuses on improving the planning process and the planning system in our province, bringing back the confidence that I think the people in this province need and want in the planning process and the approvals process. I think it will help restore that sense of confidence in the system.

The member will also know that the police are involved in a couple of investigations in this province. It is absolutely impossible and it would be improper to have an inquiry where the police are involved and investigating specific instances in this province.

Mr Harnick: On 10 August, the Premier issued a release saying—

Mr Sorbara: Go ahead, Charles. You will get answers to that.

Mr Harnick: The member for York Centre will be interested in this:

“When it comes to the links between David Peterson’s government and the developers, the Liberals have a lot to hide. That’s why the Liberals have refused to call the broad inquiry we need into the links between Liberals, campaign donations and developers, and that’s why the Premier’s office killed an inquiry into land development here in York region. The Liberals don’t want the details to be exposed in public light. They don’t want to reveal just how the developers are pulling the strings of this Liberal government. The Liberals don’t want to reveal how they sold out to some of the most powerful private interests in the province.”

This is written on NDP letterhead during the election, 10 August. Is the reason we are not having the inquiry we were promised because the allegations the Premier was making then, when he was in opposition, were without substance?

Hon Mr Cooke: The reason we are not having the inquiry the member is referring to is because we sought advice from the Attorney General, and the Attorney General made it very clear that there are police investigations going on in this province and it would be inappropriate for us to have a public inquiry in the same area that the police is investigating.

Mr Harnick: My leader spoke with the Premier-designate on election night and met with him shortly after, and the Premier reiterated his commitment to a broad inquiry. In fact, he discussed opening up the inquiry to include even non-profit housing. Yesterday’s announcement is not what was discussed. It is not what was promised. What has changed? Are the original allegations that he made without substance?

Hon Mr Cooke: I think I have answered the member’s question, but I would like to encourage him and other members of the House and certainly developers in the province and municipalities and interest groups to participate in this public inquiry into the planning process. We need to work together in this province to find a planning process the public will have confidence in and one where, when there are good developments proposed, they get through the approvals process in an efficient way.

That is something the private sector, municipal politicians and community groups have been saying to us is absolutely essentially and that is why the public inquiry was set up. That is why there are strict time lines of two years, because we believe together we can find a good planning process that works and enjoys the confidence of the people of this province.

1430

HOCKEY FRANCHISE

Mr Sterling: My question is to the Premier. He is no doubt aware that the Ontario Municipal Board is conducting

hearings regarding the proposed site for the Ottawa Senators' Palladium in the city of Kanata. At issue is the use of 98 acres of perhaps class 2 agricultural land. The proposed site lies in the shadows of the city of Kanata. Immediately across from the site is the city hall for Kanata. Adjacent to the site is a new regional municipality of Ottawa-Carleton garage, and the site lies right besides the Queensway.

I believe in the wise use of the province's farm land, but I also believe in the wise use of taxpayers' money and the encouragement of economic growth. Land use issues are rarely black and white. I have asked the Minister of Agriculture and Food previously, when the Premier was not here, for an accounting of the costs of his opposition to the zoning that was passed by the regional municipality of Ottawa-Carleton 26 to 0.

I say to the Premier that his government has spent taxpayers' money. How does he justify the refusal to divulge the information as to these costs? How much is the Premier spending to oppose the Ottawa Senators at this time?

Hon Mr Rae: A change in the classification of land, which is what is being considered by the OMB, would take place regardless, if I may say so, of the position of the government of Ontario or of any ministry of the government. There were objectors to the proposed change and I think that point should be registered with the member for Carleton.

I do not have the figures he is asking for in front of me today, and I am certainly not going to comment on what is happening in front of the tribunal, except to say that the tribunal has a job to do under the law. It has a job to do with respect to planning and considering the use of agricultural land and the shift in its designation, and that responsibility is one that the OMB is quite properly exercising.

I think it would be a little strange if the Ministry of Agriculture and Food were not there to put forward information with respect to the use of the land. That is their job. That is what one would expect the ministry to be doing.

Mr Sterling: No one is denying what the Minister of Agriculture and Food should or should not do in opposing a zoning change. What one is questioning is how much of the government's resources are put behind this specific application to oppose the Ottawa Senators in the Ottawa-Carleton area.

Meanwhile, I want to point out to the Premier that in other parts of the province at the present time there are plans to develop, east of the city of Markham, 800 acres of class 1 and class 2 agricultural land. The Premier may be aware that of these 800 acres of prime agricultural land, 625 acres are owned by the province. The town of Markham has been working with a consultant paid by his government to develop residential subdivisions, which this government requires to be made up of a minimum of 35% affordable housing. Affordable housing is a worthy objective, but it is of interest to note that the Ministry of Agriculture and Food, which has been so interested in the Senator's Palladium site, has been consulted and has

approved of a proposed development of 800 acres of prime agricultural land in central Ontario.

Perhaps the Premier could tell this House why he is willing to spend somewhere between \$1 million and \$2 million, I believe, to block a site that will take up only 98 acres of land with questionable agricultural potential in eastern Ontario, but is quite willing to allow 800 acres of prime agricultural land here in southern Ontario to go ahead for development.

Hon Mr Rae: I look forward to looking into the circumstances described by the member for Carleton.

Mr Sterling: If I had even a quarter of the money the Minister of Agriculture and Food is spending in Ottawa, I probably could turn up about a dozen of those in a couple of days.

No one would deny the benefits of housing, affordable and otherwise, but this government seems prepared once again to deny the benefits of economic growth to eastern Ontario. The Premier cannot have it both ways. If his government is truly committed to preserving agricultural land, then why is it spending millions opposing a development of a small parcel of perhaps class 2 land while allowing this 800-acre site to go ahead in southwestern Ontario? I add that he could preserve the land in southwestern Ontario with the stroke of a pen.

The people of Ottawa-Carleton are beginning to wonder what the agenda of this government is regarding the Ottawa Senators in eastern Ontario.

Hon Mr Rae: The member says I cannot have it both ways. There are some days when I feel I cannot have it any way at all. I hope he will understand me when I say that.

The member says, "What is the agenda of the government with respect to the Ottawa Senators and with respect to the future of the franchise in Ottawa?" Let me make it very clear to the member for Carleton that when I was asked some time ago by both applicants, from Hamilton and Ottawa, to write to the chairman of the NHL, I made it very clear that as far as the government of Ontario was concerned, we thought Ontario deserved not one but two franchises because this is a place where hockey and the NHL have a great market. I supported both applications.

The member for Carleton knows full well that the difficulty we have faced in the Ottawa application to the OMB was the fact that the 500-acre site being proposed is on land zoned as agricultural. It is fair to say that some people said, "We'll just abandon the whole regulatory framework, throw it out the window and get on with it." I said it would be inappropriate for us to do. We ought to let the regulatory process work and operate fairly on behalf of all the citizens so that people could see it was fair, that nothing untoward was being done and that it was clearly being done all out in the public and in the open. That is what has taken place. But if the member says to me, "Do we still support having a franchise for the NHL in Ottawa?" I would say yes, and I support one for Hamilton as well and always have done.

1440

EDUCATION PROGRAM EVALUATION

Mr Beer: My question is to the Minister of Education and concerns the evaluation of Ontario's educational system. Earlier this year the minister withdrew Ontario from the national student achievement indicators program, and more recently she has disbanded the provincial advisory committee on evaluation policy and practices. All this has happened at a time when virtually every other jurisdiction in North America has been working to set up and to create better ways of evaluating, assessing and measuring our school systems. In that climate, the actions she has taken seem to be moving Ontario into a completely different direction.

Would the minister set out clearly today the position of her government with respect to the evaluation and assessment of the Ontario educational system, and how is she planning to implement that policy?

Hon Mrs Boyd: I am very grateful for the question from the member of the opposition because it concerns a great many people about the educational system. I have stated before in the House and will state again our firm contention that it is the absolute right of citizens, parents and students to expect that the Ministry of Education has evaluation measures in place that are going to help to monitor continually and improve the educational system. We withdrew to observer status on the national indicators program because it did not do that.

We are participating in a number of other projects. The major one is an undertaking of the ministry in conjunction with the curriculum review called the Benchmarks project, geared to the actual curriculum as devised by the curriculum review, which will go along with those things and measure the success of our teaching of the agreed curriculum within the province. We believe that is the best way to do it.

We transferred the responsibility for the evaluation process from the committee that did exist and that had asked what its role was, given the creation of the Learning Programs Advisory Committee, to the Learning Programs Advisory Committee. We believe those two things need to be conjoined.

Mr Beer: Frankly, the response of the minister is totally inadequate, because the body to which she has transferred responsibilities for evaluation is a body of some 50 people with a mandate that does not adequately or properly cover the specific function that not only we in the opposition are asking to be carried out, but the greater public is asking to be carried out. People are saying we need clearer signs of evaluation. I think the minister would agree the public and parents in particular have not only a need but a right to know how their schools measure not only locally but provincially and nationally.

When we look at what the Ontario Public School Boards' Association said about the minister's decision a few weeks ago at its annual meeting, a number of sections of that body said: "Look, you should be backing that program. We need to be accountable."

How is this body of some 50 people going to be able to carry out a proper evaluation, and how can we interpret in any other way that the actions the minister has taken seem to be building a wall that stretches from Cornwall to Kenora and from Windsor to Moosonee and saying: "We don't want any outside evaluation. All we want is to do it internally, from within the ministry"? The people of this province want to see a proper system in place that brings in light from outside and that is able to tell us we have a system of excellence and a system that is accountable.

Hon Mrs Boyd: I disagree with the contention that all light necessarily comes from outside. I think sometimes it comes from those who are working within the system. But I agree with the member that it is necessary to measure against other people. I will give him an example of a program in which we have participated in the past and are going to be participating again, the international math and science testing program.

Nine provinces in Canada and a number of countries around the world are participating in that. It is a curriculum-based testing program that has a large enough sample that we believe it would be valuable to us in Ontario to help to do exactly what the member feels we should do and with which I agree.

In addition, the Learning Programs Advisory Committee is not going to be on its own to do the Benchmarks project. We have hired an excellent person to lead the project, Burle Summers, who is well known in the educational system in Ontario. We are also going on with our report cards on literacy and numeracy at the various levels, of course, as well as our examination of the OAC examinations.

There are a number of initiatives going on that are quite concentrated and we are quite concerted in our efforts to ensure that there is accountability that has relevance to our education system.

CAT SCANNERS

Mr Eves: I have a question of the Minister of Health. Could the minister please justify a health care system in the province that allows Ontario's hospitals to arrange computerized axial tomography scans within 24 hours for dogs while thousands of people wait up to four months for the same treatment in Ontario?

Hon Ms Lankin: I think it is a very valid question and it is not a practice I am going to justify at all. I was shocked to read the report in the newspaper and I have asked for an investigation to take place and for a report to be brought back to me on that.

Mr Eves: The minister agrees, she says, with the comment that is being made. I want to point out that the member for St Catharines has raised in this House on several occasions the dire need for another CAT scanner in the Niagara region, at a cost of, I believe, anywhere from \$700,000 to \$1.7 million depending on whose estimate you take.

Earlier this week I raised in the House the fact that her ministry is authorizing through OHIP the expenditure of \$6.5 million for electrolysis in this province, yet we have thousands of people on the waiting list for up to four months for CAT scans. These are people who do not know

if they have brain tumours or not, and yet pets can get CAT scans within 24 hours, upon notice, by their owners paying \$300 or \$400.

What is wrong with her priorities over there? She has \$6.5 million a year set aside for hair removal. She makes people wait on a waiting list for four months to find out if they have a brain tumour or not, but their dogs can get in tonight at midnight if they want them to. What kind of a system is that?

Hon Ms Lankin: Yet again, let me say I absolutely agree with the member in terms of how he counterposes those two issues. There is a very serious problem with the system and the expenditure of money, and it is something I am certainly very concerned with and on moving on to try to address.

Let me say with respect to the issue he raises about CAT scanners that when CAT scanners were introduced in this province, the guidelines that were put in place were put in place because there was concern about rapid expansion of a new technology that people did not understand. That is no longer suitable and the ministry is working on developing new guidelines.

At my request, I have been assured that those guidelines will be coming forward to me to review for approval, I hope by the end of July. I hope we will be able to address the kind of priorities in the province that not just the member for St Catharines but all the members of the Niagara region have raised with me, and in other parts of the province as well.

INTERNATIONAL TRADE

Mr Duignan: My question is to the Minister of Culture and Communications. The headline and story in today's Toronto Star was, I am sure, very disturbing to most people of this province, particularly those involved in our cultural industries. The headline and story indicate that the United States has the impression our cultural industries are on the bargaining table at the North American free trade talks which opened here yesterday in Toronto. How is it that the United States has this so-called impression?

Hon Mr Marchese: I asked myself the same question this morning when I read the headline. I immediately sent a letter to Perrin Beatty and Michael Wilson requesting assurances from them that the cultural industries would not be placed on the table, or indeed under the table, in these discussions. By under the table I am referring to federal actions such as the cancellation of the non-theatrical fund, the erosion of funding to the Canada Council, the impact of the GST as it has contributed to the enfeebling of our publishing industry and cultural sector in general, and of course the CBC cutbacks and the impact of those on Ontario and Canada in general.

The United States dominates many of our cultural industries already. What we need to do at all levels is to defend and protect as fiercely as we can those cultural industries that are within our control.

Mr Duignan: What is the minister doing to guarantee to this House and to the people of this province that Ontario's cultural industries and the workers and consumers who rely on them are protected?

Hon Mr Marchese: I want to assure the member that this is not a new or recent preoccupation of mine or of this ministry. Protecting our unique culture and the right of Ontarians to work in Canadian-owned cultural industries has been a priority of mine since I took office. The clear and strong support in this budget for film, community radio, publishing and the Ontario Arts Council reflects the absolute urgency we feel around this and the commitment we have given to this issue.

I want to say, furthermore, that we have been doing several things. We have consulted with a number of people in the cultural sector, including the common-agenda activists, and we have talked about what strategies we need to put in place to protect our cultural industry. I will be meeting with Perrin Beatty in two or three weeks' time, when I will put this on the table for discussion. We are going to have federal-provincial meetings with other ministers where I will try to convince the other ministers that we do not need to put cultural industries into these negotiations.

1450

LONG-TERM CARE

Mrs McLeod: I have a question for the Minister of Community and Social Services. Yesterday I asked the minister a very specific question regarding her intended time frame for the introduction of levels-of-care funding for homes for the aged and nursing homes. The question went unanswered.

We are going to continue to press the issue of long-term care reform because we are extremely concerned that we have lost eight months waiting to know this government's intentions. The announcement that was made was short on detail, there is no discussion paper ready yet and the consultation that is proposed is not to be concluded until next spring.

What will be done now in terms of immediate investment in the community? What will be invested in seniors' programs this year? Can she tell us anything specific at all?

Hon Ms Akande: In my response to the member yesterday, I had said that in terms of levels-of-care funding, first of all, in terms of this long-term care consultation paper, we are expecting it to go out this summer and through the fall, and we are not going to wait to address the problem until this whole situation and the consultation is completed.

In terms of our response at present, we are looking at the situation, making our decisions relative to each municipality and certainly in relation to the needs that are presented to us by each of the seniors' facilities, and we are hoping and intending—more than that—to maintain a system while we bring in the kinds of changes that we have already announced in long-term care.

Mr Phillips: I am following with a supplementary to the minister, and that has to do with the Ontario Nursing Home Association. I will repeat what my colleague said earlier, and that is that we have wasted eight months. Believe me, eight months have gone by with no action. I was shocked by the announcement on long-term care which

was essentially what we announced a year ago, but with no funding announcement for this fiscal year.

The nursing homes of this province are in desperate straits. We had announced specifically what we were going to do. The funding was coming on 1 January 1992. There is no announcement on funding for the nursing homes in the minister's proposal. As I say, the nursing home association is in desperate straits awaiting her announcement. I am no longer going to accept, "We are looking at it; we are considering it," because I expected when she brought her long-term announcement out that we would have the details. We do not have them.

What will the minister be providing to the nursing homes to relieve them of the pressure they face right now? What is the date she will be making the announcement? What sort of funding has she provided in her budget to relieve the pressure that is on those nursing homes?

Hon Ms Akande: The member mentions that there was nothing in the announcement concerning long-term care that related to the nursing homes. I must correct him in that we did say that \$200 million will be spent on the nursing homes and the homes for the aged.

I must also say to the member that my response to his colleague is that we are currently addressing those situations individually and by municipality. Individually and with my colleague from the other ministry we are facing this problem. It pertains to the response to this question too. I recognize that he is anxious for an immediate response and that he has requested such. My response to him is that I am also anxious to have an immediate response, but I am more anxious to see that what we do is effective and responds to the needs of the community more than to his need for detail.

RENT REGULATION

Mr Tilson: I have a question for the Minister of Housing with respect to the subject of neglect that is mentioned in his new bill. Under the new rent review legislation, when landlords apply for rent increases due to significant repairs, they must demonstrate that the repairs are not the result of neglect. In this new legislation I am unable to find a specific definition for the term "neglect." Can the minister provide this House with a definition of "neglect" that will apply to landlords under his new rent review legislation?

Hon Mr Cooke: This is one aspect of the legislation that I think landlords and tenants very much agree on, that landlords who have not taken care of their buildings over the years do nothing to help the profession of landlord, that they are an embarrassment to all landlords when they deliberately and continually neglect their buildings.

This subject was covered even by the legislation of the previous government, but we felt it should be covered more precisely and that there should be an ongoing responsibility. In other words, if you sell a building and the building has been neglected, the person who purchases that building purchases that liability as well. So there is more ability to enforce under our legislation, and tenants will be better protected. I believe it will result in apartment buildings in this province being more properly maintained than they ever have been in the history of this province.

Mr Tilson: I listened very carefully to the minister's words, and nowhere do I find a definition of "neglect." Before he starts getting into this legislation, somewhere along the line he is going to have to come to grips with that and define the word "neglect." Under the justice system of Ontario, all Ontarians are considered innocent until proven guilty. The new Cooke maxim as to the definition of "neglect" seems to be that landlords are now guilty until proven innocent.

Because of the draconian measures under Bill 4, virtually all capital repairs are suspended. That is what has happened with respect to Bill 4. This means that landlords have been forced by the Ministry of Housing to ignore necessary repairs. The hesitancy to repair resulting from Bill 4 may be defined as "neglect" by the Ministry of Housing when applications are submitted for rent increases due to capital repairs under the new legislation.

This neglect, I submit, originated with the Ministry of Housing. Will the minister recognize this and will he make the provisions in his new definition of "neglect," when he gets around to defining it?

Hon Mr Cooke: The critic for the third party always allows landlords in this province to completely get off the hook. He says that when Bill 4 was brought in we suspended all repairs and maintenance of buildings. That is absolute nonsense. Some \$8 billion worth of rent has been collected on an annual basis, and it has always been our expectation—and I think if the critic was a responsible critic for Housing, it would be his expectation—that landlords in this province should properly maintain their buildings.

SKILLS TRAINING

Mr Cooper: My question is to the Minister of Colleges and Universities. On Tuesday 11 June the minister announced a retraining agreement for laid-off steelworkers in Sault Ste Marie. Last week it was announced in Kitchener that Uniroyal Goodrich intends to close down one and possibly two manufacturing plants. This could result in 2,000 employees being laid off with little hope of finding immediate employment in the community. Is there a way for laid-off workers at Uniroyal Goodrich to develop a program similar to that at Sault Ste Marie?

Hon Mr Allen: I appreciate the question from the member for Kitchener-Wilmot, and I know the concern that he and all members of that community have with the problems that have overtaken Uniroyal Goodrich and that community.

Mr Sorbara: You knew the question was coming. Why do you not just write him back?

Hon Mr Allen: I will tell you now. Do you want to listen too? Maybe you would learn something if you would sit there and listen.

The Speaker: If you would address your remarks to the Chair.

Hon Mr Allen: Mr Speaker, I am quite happy to address you and, in the course, instruct the member in a number of matters he might profit from.

The program for laid-off workers I announced the other day in Algoma is an example of the kind of partnerships we are trying to build as a government. That was a program that was worked out in connection with the education institutions of the city, the labour movement of the city, the business concerns and, of course, ourselves as government.

I want to encourage the workers and the management of Uniroyal Goodrich to undertake to put together that kind of partnership in order to address the employment adjustment programs and problems they confront in their community.

Doing that, they will be able to address agencies like ourselves for our participation in that overall adjustment program. I would add that a key component in this will be to secure the participation of the federal government to live up to its responsibilities under its labour adjustment legislation.

Retraining obviously is not just the responsibility of our government, but it is a partnership undertaking, more particularly in these kinds of circumstances of plant closure or heavy layoffs.

1500

HOSPITAL FINANCING

Mr Phillips: My question is to the Minister of Health, if I might have her attention. I am going to become somewhat more aggressive on this demand for some action. The minister will know that right across the province and in literally dozens of hospitals, staff are going through right now a lot of agony because layoffs are occurring and beds are closing.

It was completely predictable. The nurses' settlement represented about a 15% increase. The grants to the hospitals were 6%. They were not 9.5%. The grant to the average hospital was 6%. That is directly from the deputy minister. Therefore, what we see across the province are hospitals closing beds, laying staff off, no question of that, agony in dozens of hospitals. Many of the members across the House will realize it.

The point is this. I guarantee the Ministry of Health will step in in many of those circumstances in the next few weeks to provide funding. The minister could see the problem coming. She could see it coming in February. Why put the staff through that? Why has she not acted and said to the hospitals she is going to fund, "Here is the money," and to the ones she is not, "Sorry, you won't be getting it"? Why put the people through this agony? Here we are now in the middle of June, and believe me, we will find those circumstances.

What is the date by which the minister will have reviewed the hospital budgets, notified the hospitals she is going to fund that they will be receiving the funding so they do not have to do this, and notified the ones who will not so they can proceed with their plans?

Hon Ms Lankin: The member truly was uncharacteristically aggressive with his question, given his record in the House. I suggest that my answer to him today is no different than it was last week, in that I cannot respond to

his question when in fact we have not received all of the budgets from the hospitals.

He may know, and I think I have indicated to him—if not, I will indicate now—that we have asked for those budgets to be submitted by the hospitals by mid-June. We have not, at this point, received them or reviewed them. May I also say that what we are hearing right now from hospitals across the province—I would agree with the member on this—is in fact quite predictable in terms of saying there will be bed closures and layoffs. Until we sit down and review with them those plans and those budget decisions they are recommending and take a look at them and work through them, I am not in a position to confirm that that will be the situation.

May I say, in terms of my own recent experience, as I start to go out across the province and meet with people in communities—just yesterday, I was out of the House, as members may be aware, and I was in another part of the province, and I was informed that, in addition to the temporary bed closures that are taking place over the course of the summer, there were up to 200 beds in that community that were empty on a voluntary basis because there were no acute care patients who needed those requirements.

We are in a time of shifting from institutional care and longer bed stays to shorter bed stays and ambulatory care. We need to work through that and plan with local communities to achieve that. I will conclude my remarks and say that my answer is consistent. Until we review those plans, I cannot confirm for the member that those bed closures are going to take place or they are problematic.

Mr Phillips: The reason I am angry is because I said three or four months back that this is exactly what was going to happen. This is the year she should have put into place some unusual procedures and gotten at this an awful lot earlier.

I have reports from right across the province of people being told they are going to be laid off, some perhaps for good reason. Perhaps those beds should not be open. Others, I guarantee she could step in and fix the problem. She could see this coming. Why we would not have dealt with it earlier is completely beyond me.

My question is this: Will the minister at least assure the House she will honour the Premier's former commitment that he would fund the necessary nursing positions and not jeopardize the necessary health services in the hospitals?

I would close by saying that the situation we heard earlier about dogs going through CAT scanners is an attempt by one hospital to try to deal with its deficit. Crazy. Therefore could the minister give me assurances on the point I raised earlier, that she will honour the Premier's commitment that he would fund the nurses' settlement for the necessary nursing positions and not see the necessary health services cut?

Hon Ms Lankin: The member may choose to give a long preamble in response to my previous answer and then a short question. I am not going to be sucked into just answering the question. I am going to respond to that preamble because he is suggesting we should have acted earlier

when the hospitals have not even yet submitted the budgets to us for review.

I wonder why we are seeing the headlines, why we are seeing press announcements, why we are seeing a lot of concern in the communities when those hospitals have not even yet submitted their budgets or finalized the process.

Quite frankly, there is a process that needs to be followed. I am going to follow that, and I will report to the House at the earliest possible opportunity.

LAND REGISTRATION

Mr Villeneuve: My question is to the Minister of Consumer and Commercial Relations. A county registry office has been a very important and, in most cases, long-standing entity in our part of rural Ontario. Fourteen communities are scheduled to be losing their registry offices, according to her announcement, come November. Who has the minister consulted and who has given her the advice to close or attempt to close these 14 registry offices?

Hon Ms Churley: I certainly have some sympathy with the registry offices that have closed down. I recognize that it is always difficult for people to adjust to change.

This decision, however, was based not only on fiscal responsibility. You cannot have it both ways. The government of Ontario saves \$1 million a year plus capital costs of about \$8 million. The reality is, the users of the system have been consulted regularly by the ministry officials. The reality also is, these 14 land registry offices are in the only counties in Ontario where there is more than one land registry office per county. The reality of the situation is that not only is it fiscally responsible, but it also is rationalizing the system and making it more equitable across the province.

Mr Villeneuve: I am sorry, but the minister is misinformed. There is only one registry office in Glengarry, there is only one registry office in Dundas, and there is only one registry office in Grenville county, and those are areas that I represent. Three of those registry offices will be merged with Cornwall, which is already overburdened. There is very little room to even stand, let alone sit and do the work that has to be done.

I have letters here from the Canadian Bar Association. I have all of the affected municipalities and counties. Many lawyers in S-D-G & East Grenville, land surveyors, real estate agents, historical societies, business people, private citizens, registrars and even employees in those registry offices are not happy with the closures.

Is the minister ready to listen to the concerns that will be brought forth in the very near future, concerns that everyone wants to maintain these registry offices open? I do not know where she got advice that people wanted to close these offices. The closure means \$100 per transaction more to the people who want to renew mortgages, get new mortgages, transfer titles—\$100 minimum, and that has been proven. Will she please listen and take another look at what is a very bad decision?

Hon Ms Churley: I have been listening very carefully to the concerns that have been expressed to me after this announcement was made. What I want to say today is that there will still be one local land registry office in every

county or regional municipality or group of united counties—in every single one.

I would also like to say to the member that in most of Ontario there is only one land registry office per county or regional municipality and those are well used and the costs in those particular counties or regional municipalities have not risen as a result of only having one per county. I would be very happy to provide the member with further information so he understands the realities of this situation.

1510

AGRICULTURAL LAND

Mr Silipo: Earlier today in this House there was a question raised concerning the conversion of prime agricultural land into housing development. That is, of course, an issue that is also of some interest within the greater Toronto area. I would like to ask the Minister of Agriculture and Food to comment on the preservation of agricultural land in the GTA.

Hon Mr Buchanan: I guess it was about a week ago that Metro council passed a resolution asking the government to look into a freeze of agricultural land in the GTA to preserve agricultural land. The member earlier today mentioned there is some land in Markham that is going out of production. I want to assure the member that the Ministry of Agriculture and Food feels very strongly that we need to protect and preserve prime agricultural land, including that within the confines of the GTA, and that my colleague the Minister of Municipal Affairs yesterday, when he announced a commission to look into the land use planning, talked about investigating a system that is going to support the provincial priorities in terms of the environment and in terms of food land preservation within the GTA and across the province. We certainly hope we can come up with a planning process that will do that across the province in a consistent way.

INTRODUCTION OF BILLS

EDUCATION STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS EN CE QUI CONCERNE L'ÉDUCATION

Mrs Boyd moved first reading of Bill 125, An Act to amend the Education Act and certain other Acts relating to Education.

M^{me} Boyd propose la première lecture du projet de loi 125, Loi portant modification de la Loi sur l'éducation et de certaines autres lois en ce qui concerne l'éducation.

Motion agreed to.

La motion est adoptée.

Hon Mrs Boyd: The Education Statute Law Amendment Act, 1991 amends the provisions in the Education Act, the Ottawa-Carleton French-Language School Board Act, 1988, the Assessment Act and the Municipal Act. The purpose of the act is to provide legislative support for new and ongoing ministry initiatives, to make changes in tax assessment provisions and to alter provisions concerning religious education.

The items in this bill were sent to all major stakeholders for consultation, including school boards, teacher

ederations, school trustee organizations and supervisory officers' associations. Other government ministries were also consulted. Copies of the bill will be sent to the same groups for their information and content, if they wish to review them.

There are a number of different items in the act that will change. One defines the education authority provision with respect to native education. There is another measure to alter school boundaries, another to include participation in provincial reviews, another to set board policies on employment equity, ethnoculturalism, anti-racism and drug education.

The major issue that is new and is consistent with a policy direction announced by the government in the fall is the issue regarding religious education, which would revise sections 3 and 7 of the Education Act. The amendments will reflect current ministry policy about religion in schools operated by public boards, as well as the recent law handed down by the Ontario Court of Appeal.

Education which indoctrinates pupils in a particular religion is not permissible in public schools. Education about various world religions is acceptable. In addition, opening and closing exercises in public schools can no longer be giving primacy to one particular faith.

The other issues of real concern that are not house-keeping issues involve some changes in tax assessment. The amendments will result in more equitable distribution of school taxes paid by corporations without share capital, making these taxes available to both public and Roman Catholic school boards. This removes the legislative ambiguity as to the rights of such corporations to support either school system.

ELECTRONIC REGISTRATION ACT
(MINISTRY OF CONSUMER AND COMMERCIAL
RELATIONS STATUTES), 1991

LOI DE 1991
SUR L'ENREGISTREMENT ÉLECTRONIQUE
DANS LE CADRE DE LOIS RELEVANT
DU MINISTÈRE DE LA CONSOMMATION
ET DU COMMERCE

Ms Churley moved first reading of Bill 126, An Act authorizing the Filing of Information in an Electronic Format under Statutes administered by the Minister of Consumer and Commercial Relations.

M^{me} Churley propose la première lecture du projet de loi 126, Loi autorisant le dépôt de renseignements au moyen d'un support électronique dans le cadre de lois dont l'application est confiée au ministre de la Consommation et du Commerce.

Motion agreed to.

La motion est adoptée.

Hon Ms Churley: This bill is designed to improve customer service by allowing ministry clients to file information electronically. Currently clients provide information on paper to ministry staff, who then enter it into a computer base. Under this legislation clients will be able to use computers in their own offices to submit information directly to the ministry using electronic communication lines.

1520

ORDERS OF THE DAY

House in committee of the whole.

MORTGAGES AMENDMENT ACT, 1990

Consideration of Bill 40, An Act to amend the Mortgages Act.

The Chair: Are there any questions, comments or amendments, and if so, to which sections of the bill?

Mr Harnick: I have tabled a series of amendments. The first one is—

The Chair: Order. Would you just list them.

Mr Harnick: I am sorry. The first one is an amendment to subsection 43(1), which is section 2 of the bill. The next amendment is to subsection 43(2), which is section 2 of the bill. The next amendment is to move that section 3 of the bill be amended by adding a section. My next and final amendment is an amendment to section 8 of the bill. That is the list of the sections I propose to seek amendment of.

Section 1 agreed to.

Section 2:

The Chair: Mr Harnick moves that subsection 43(1) of the act, as set out in section 2 of the bill, as printed, be struck out and the following substituted:

"(1) For purposes of this part, a single family home is a residential premises that consists of a single dwelling unit or a primary dwelling unit and not more than three subsidiary units."

Mr Harnick: The purpose of this amendment is to exclude single-family homes from inclusion in the bill. A single-family home is defined as a single dwelling with not more than three subsidiary units.

I am not going to belabour what I said yesterday, but I do believe that the exclusion of single-family homes from this bill will enhance the supply of affordable rental accommodation and will enhance the ability of people who aspire to own a home to be able to do so. I think that to impose the provisions of this act on single-family homes would go to making it more difficult for people to obtain mortgage financing for the purpose of purchasing a home if the mortgagee knew that there was going to be a tenant in that home. As well, it will make it more difficult for the owner of the home, the mortgagor, to obtain mortgage financing to maintain that home and to maintain the subsidiary units that home may have for rental purposes. That is the reason this amendment has been proposed.

Mr Sorbara: Mr Chairman, I want to make a comment on the amendments moved, or perhaps the member for Willowdale has not moved them all yet.

The Chair: He has moved the first.

Mr Sorbara: He has moved the first amendment. They are a series of amendments to avoid having Bill 40 apply to single-family dwellings. I would like to give a little bit of history to this bill and this initiative.

It was an initiative developed by the previous Attorney General, the predecessor of the incumbent Attorney General. The member for St George-St David developed this

project, and indeed I think a bill was introduced in the previous Parliament to this effect. It was a bill exactly like the one that my friend the Attorney General has introduced, or in almost every point the same, except for the fact that the incumbent Attorney General has chosen to have this bill apply to single-family dwellings. I think that is very unfortunate indeed. He has taken a project that the previous administration developed and, I think rightly, has brought that project forward again in the form of a bill.

Let's remind ourselves what this bill is all about. It is simple and straightforward. It says that if mortgagees foreclose or if they come into possession of residential premises in the form of apartment buildings, they ought not to be able to throw the tenants out, but the tenants should have the same rights that they would have under the Landlord and Tenant Act and the Residential Tenancies Act.

I think that is good public policy and I am glad the Attorney General has brought it back, but it was wrong—I say to him, although it is very difficult to get his attention—to put those provisions on to single-family dwellings; not that somehow we should protect the mortgagees of single-family dwellings, but he should think about the results of the initiative that he is bringing forward here. He is saying in effect that a mortgagee, that is, the lender of money to a home owner, would not be able to use remedies traditionally available to him or her or it, as the lender, when a building is rented by a tenant.

I want to tell the Attorney General what is going to happen if he passes this part of the act. What is going to happen is that in the case of mortgages on single-family homes, the mortgagee, the lender of the money, is going to put into the mortgage document a provision prohibiting the home owner from renting out the house without the permission of the lender. Does the Attorney General not realize that the response from the lending community, the banks and the trust companies and the other mortgagees in this province, is simply going to be to put a new provision into their loan document saying, "You can't rent out your house without my permission"? That would be sensible of them, because if the home owner rented out the house and then went into default on the mortgage, the lender would not be able to get possession of the house and deal with it in the way that lenders have traditionally dealt with it.

To put the provision in does not really lend much help or assistance for tenants living in single-family dwellings. It is rare indeed that a tenant is badly done by as a result of the rights of a mortgagee in those situations. The Attorney General is right when it comes to large-scale apartment buildings or traditional buildings in which people rent apartments. That is right. It is appropriate that a mortgagee, a lender of money, cannot just move in and evict people. We want the tenants to have the same rights as they have as far as the owner of the building is concerned, but with a single-family home, he is not going to protect any tenants, but he is going to make it more expensive for the home owner to borrow money to buy the home, and he is going to make it more difficult for tenants to lease homes or to rent homes, because, as I said, in virtually every mortgage document after this is passed, we are

going to see lenders write into the mortgage document a prohibition against renting out their homes to tenants.

1530

I ask the Attorney General if he would not just consider the problems he is creating, the expense he is putting on the shoulders of home owners and the profit he is putting in the hands of mortgagees.

I know his staff is going to convince him that this is not going to happen, and that for the purposes of symmetry and being politically correct to the tenant community, this provision in Bill 40 ought to apply to the single-family home, to the individual household. All I would tell him in that regard is to set aside for a moment the activities of the lobbyists and consider in his own mind—after all, he is the Attorney General, and he could do some independent thinking on this issue and other issues once in a while—set aside those lobbies, set aside the interests of those interest groups and just think for a moment about what is practical and appropriate. If he did that, I am convinced he would bring forward revisions to this bill that provide an exception in the case of single-family homes and did not put the single-family home owner in the position of having to spend even more money to get a mortgage, and paying even higher rates on that mortgage.

In sum, I agree with my friend the member for Willowdale. His amendments are not motivated by anything except good public policy. I know they are well-thought-out. I know, as a lawyer, he understands the real implications of the sections he attempts to amend. Once again, I express my hope that the Attorney General will be reasonable in this regard, accept the amendments and let us get on with consideration of this bill as expediently as we can.

Hon Mr Hampton: The member for Willowdale has introduced an amendment I feel I should try to deal with. The member for York Centre was not here yesterday, so he would not know I already responded yesterday to all the concerns he has raised. So I will leave his comments aside for a while since that has already been dealt with.

In response to the member for Willowdale, we have canvassed the amendments we proposed to this legislation very carefully with the banking community, the lending community. We canvassed it with the tenant community as well. In a general way, the reason we feel we have to deal with single-family homes is because that is where a lot of tenants live, in single-family homes with two, three, four attached units, a basement, an attic, etc.

We have had situations in the past where, because of the loophole in the law here with respect to mortgagees and single-family homes, mortgagees have evicted tenants rather unfairly, summarily, one might say. We have had some situations where landlords have tried to evict tenants for the purpose of raising the rent. It is an illegal rent increase, but very difficult to deal with, given you are dealing with a number of single-family units with perhaps two or three basement or attic apartments. So there has been a problem there.

Or you have the situation—and this is even more unfortunate—where some landlords evicted tenants because

they may not—and frankly, I am sad this happens, but we now it has happened because we have had community legal services and tenant services bring it to our attention—some people will be evicted because they are the wrong kind of tenants.

Mr Sorbara: Landlords don't have the right to do that now. That is a violation.

Hon Mr Hampton: The member for York Centre says landlords do not have the right to do that now. Correct, landlords do not have the right to do that, but because of the loophole being a mortgagee in possession, a mortgagee could do something a landlord could not do.

Mr Harnick: But a landlord isn't going to default on a mortgage to get rid of the tenant.

Hon Mr Hampton: I am not suggesting that. I am not suggesting a landlord—

Mr Harnick: But that is what this bill is doing.

The Chair: Order, the member for Willowdale.

Hon Mr Hampton: I am not suggesting a landlord would do that, in any case. I am merely suggesting there are loopholes open to a mortgagee in possession that would not be available to a landlord.

Since those loopholes are not available to a landlord, the argument the member is suggesting to me is that it would be very difficult for a landlord who owns a single-family home with, let us say, two or three basement or attic apartments, to sell that, but we have no evidence of that whatsoever. In fact, the evidence we have, and we have canvassed this very carefully, is that in many cases lenders are only too happy to lend where it is a single-family home situation with a basement apartment or a couple of attic apartments, because they know there is a good income stream there.

They are even happier to lend when there is already somebody in the building, because they realize there is not immediately an interruption of the income stream. In other words, there is more security for the lender because there is an income stream as well as a single-family home there, which in many cases is easier to sell than an apartment.

From our perspective, having canvassed this at some length with lenders and the tenant community, we do not believe in the final analysis that the concerns the member has—and I recognize they are legitimate concerns, because we talked about them for some time—present a difficult or grave problem.

There may be some problems. We are informed there will be a problem in a minority of cases, and there are avenues open to lenders to deal with those, in any case. While I appreciate the member's concern, we have a level of comfort that this will not disrupt the availability of single-family homes and single-family homes that have subsidiary apartments in them, and we do not believe it will upset the mortgage market either. That is, after all, a fairly aggressive lending market. While there are some lenders who may be timid, there are others who are only too happy to lend, particularly in an economy such as ours—

Mr Harnick: At the right rate anybody will lend, but you don't want people to have to pay a premium.

Hon Mr Hampton: The member raises the issue that someone might have to pay a premium. Again, we canvassed that with the lenders.

Mr Sorbara: And what did they say?

Hon Mr Hampton: We were told you might in some cases have a premium adjustment, but there was no assurance of that. They could give us no statistical evidence, and there was also an indication that there need not be some type of adjustment in the mortgage markets for this kind of situation.

Our level of comfort here is quite good and we do not think we are going to be doing anything which will upset the supply of available housing in these situations or upset the flow of mortgage funds to individuals who want to buy these kinds of units.

1540

Mr Harnick: I am somewhat surprised at the Attorney General's discussion about canvassing the lenders of mortgage money. I know he is in receipt of the same letter I received a copy of from the Canadian Bankers' Association. That association represents the biggest institutions that provide most of the mortgage funding for single residential families in this province.

Their opinion is quite to the contrary of the Attorney General's and they even go so far as to make reference to the fact that this bill does not even provide them with adequate information and the obligation to provide adequate information about tenancies at the time a mortgage is obtained. I put it to the Attorney General, that fact alone indicates there is something being hidden here. There is some reason they want to hide this information from mortgagees. The fact that they want to hide this information from mortgagees leads me to believe there is great truth to what the Canadian Bankers' Association alleges, that by imposing the provisions of Bill 40, mortgage money for people who want to obtain homes will be more difficult to obtain.

The Attorney General could go a long way to satisfying me that is not the case if he put a provision in this bill that said all information about tenancies had to be provided to the mortgagee at the time the mortgagee requested it, which would be either at the time the mortgage was applied for or when the mortgage was renewed, but not at a time when there was a default occurring in the mortgage, which is the situation in this act.

If the Attorney General honestly believes there will not be a problem in terms of obtaining financing to purchase homes and for a landlord to obtain financing to maintain a home for residential purposes, he would certainly ensure that the provisions of this act allowed a mortgagee to obtain the necessary information at the time the mortgage was applied for and not have to wait until the time of default. Unless the Attorney General does that, it lends the distinct impression that he knows mortgage money will become harder to obtain.

As I noted yesterday, in Scarborough alone there are 14,000 basement apartments. If one takes a look across Metropolitan Toronto, there are probably five or six times that many basement apartments. People who buy those

homes buy them and they need that income from a rental to be able to pay the mortgage. Those people will not be able to obtain that financing, and I fear the risk a mortgagee will have now is being heightened by this bill. I would again urge the Attorney General to consider my amendments and to change his bill to reflect what my amendments state and also, if he is not prepared to do that, then as an indication of his very good faith that mortgage money will continue to be available, at least provide in this bill an obligation to provide information to the mortgagee about the existence of tenancies at a time when the mortgage is applied for, not to have to wait until there is a default in the mortgage.

Mr Sorbara: The Attorney General says he answered all the issues I raised in his speech yesterday. I raised the same issues I think my friend the member for Willowdale has raised, and from my perspective over here, I do not think I have heard the Attorney General answer them today and I doubt he answered them yesterday.

I wonder why he could not consider the kinds of amendments being proposed. Does he not realize that the commercial venture involved in building an apartment building and renting it out to tenants and securing a mortgage is a commercial venture, and the intervention he is making, restricting the rights of mortgagees, is a good idea. But the business of buying your own home, securing a mortgage on that home and owning that home and doing what you will with that home is a very different thing. I say to the Attorney General that it is a very different experience. He said he received information from the lending community. I cannot think of a better authority in this case than the letter the member for Willowdale got from the Canadian Bankers' Association. They say there will be perhaps some premium on the cost of a mortgage.

The member for Willowdale is wrong. It is not going to be more difficult to get a mortgage; it is just going to cost a little bit more. I want to say to the Attorney General that I would be willing to abandon this argument if he could assure the House that after he passes this bill we will not start to see clauses in mortgages that say the owner of the home is prohibited from renting out his house without the permission of the lender, of the mortgagee. There is no doubt in my mind that this is what we are going to start to see.

If you are a lender and you are not going to be able to get vacant possession of the home, it is obvious that when you lend the money you are going to say in legal terms to the home owner, "You can't rent out your house without my permission." What will the lender do when the owner goes to get permission to rent out the house? He is going to want to investigate the tenant, he is going to want security and he may even want a little bit of a premium or a renegotiation of the mortgage to reflect the additional risk.

Interjection.

Mr Sorbara: I am sorry, I did not hear the member for Ottawa Centre.

Ms Gigantes: I wasn't speaking to you.

The Chair: Order, please. The member for York Centre, conversation is to be directed to the table.

Mr Sorbara: Mr Chairman, the member for Ottawa Centre says she was not speaking to me. It sounds like she is speaking to herself, then.

The Chair: Make sure you keep your remarks and your questions to the table.

Mr Sorbara: I say to you, sir, that the Attorney General simply is ignoring the reality of the way in which the mortgage market works. That is not to say that lenders are cruel and evil people, but it is simply to say that when confronted with a larger risk or different circumstances, they move to protect themselves. We see these clauses all the time. Mortgage documents get lengthier and lengthier because the laws within which they have to be negotiated get more and more complex.

The complexity that he is putting on the commercial operation is an entirely appropriate one. But he said in his remarks earlier on that somehow the lender is going to be happy with the fact that there are tenants there. I am talking about the situation where a home owner negotiates a mortgage, when he or she buys his or her house or when he or she refinances his or her house, and then, two or three years down the road, proposes to rent it. Does the Attorney General not simply see that the lender is not going to let that happen in the future?

Once again, I say to him, if he would table documents in this House at this time or send over to me and the member for Willowdale documents, written confirmation that this will in no way impact on the price that we pay to borrow money—that is, the interest rate for a mortgage—and it will not result in any changes to a mortgage document restricting the right of a home owner to lease his or her house, then we concede that we will just fold up our tent and go away on this issue. But he has so far refused to table those documents. I invite him now, sir, to table them at your table and to present them to us, but if he does not have those documents, if he does not have that confirmation, then I say that he is trying to fool us in this House and fool the people on this bill and he certainly ought not to do that. He should accept the amendments.

The Chair: Order, please. I do not like the choice of your words. Perhaps you could use another word.

Mr Sorbara: I take it, sir, that you are objecting to the use of the word "fool" when I said that he was fooling the public on this.

The Chair: Yes, I do.

Mr Sorbara: I will withdraw that. I will say that he is—
Interjection.

Mr Sorbara: No, I do not think I will try that one, I say to my friend the member for St Catharines.

He is not putting the full picture before us. He is not submitting all the evidence to Parliament. He knows some things that he is not telling us. There are some realities in this circumstance that are not coming out in this debate. There is a part of the picture that has not been fully coloured in. We do not have all the facts. There is something wrong with his submissions. He could do the right thing by simply accepting the amendments that my friend the member for Willowdale has put forward to this committee.

We will exempt the single-family home and then we can get on with passing good legislation that will improve the commercial market and represent enhanced protection for the tenants of this province.

550

Mr Tilson: I would like to ask a question to the Attorney General specifically on this area that has been raised by the member for York Centre and the member for Willowdale, because I think the point they raise is the very crux of why this series of amendments is being asked.

In other words, most mortgages now range, as we all know, from one to five years, depending on the way the interest rate is going. A lot can happen in that period of time. An individual may buy a house, may live in it, may decide for various reasons that he cannot reside in those premises and he may decide, for economic reasons or other reasons—maybe he has to leave the province or leave the country for temporary periods of time—to rent the premises. This, of course, would not be known by the mortgagee.

I think that any solicitor advising people who are lending money to people who wish to purchase premises or people who wish to renovate premises would insist on the type of clause that has been suggested by the member for York Centre; in other words, that you cannot rent out the premises or something similar to that type of provision.

There does not seem to be anything in the legislation that precludes that type of clause from going in there. Even if there were, even if the Attorney General decided to put an amendment in there that precluded that type of clause, and I do not know why he would, there would be a premium charged in those sorts of situations to allow for the dilemma that the mortgagee, whether it is a bank or an institution, may be put into. Aside from the argument I raised yesterday about people being reluctant to get into the lending business, whether it be a bank, an institution or an individual, aside from their being reluctant to do that, I do believe there would be a premium charged.

I guess my question to the Attorney General is along the line of some of the discussions we have been having on other bills, specifically the housing bill, the whole subject of affordable housing, the availability of housing, that whole subject. I cannot believe he will not admit that this type of clause dealing with a single-family dwelling will result in the whole issue of affordable housing going higher or the availability becoming more and more difficult.

My question to the Attorney General, if this amendment is not approved by this House, is whether that will affect the government's whole philosophy of affordable housing and availability of housing.

Hon Mr Hampton: I will try to deal with all of the questions raised by the member for Willowdale and his colleague.

First, let me deal with the general case. In our consultations we had, for example, a manager of a trust company, a rather large trust company here in Toronto, who indicated that 90% of his borrowers in the single-family home market had basement apartments. Obviously, under the current situation they have no problem lending to single-family-

home borrowers where there is an ancillary apartment. I want to point out that where you have simply one ancillary apartment, that is not affected by this legislation, nor is the situation where you have two. In other words, you could have a basement apartment and an attic apartment, and those are not affected. It is only when you have more than two.

We already have all kinds of situations where lenders are lending to individuals who have a single-family home and they have basement apartments or they have upstairs apartments. It is not affecting the market now. That is the first point I want to make. I want to point out again that we are dealing here with when you have a single-family home with more than two subsidiary apartments.

The Canadian Bankers' Association letter is the strongest case. They put forward the strongest institutional case. I have that letter in front of me and I just want to point out to members that it does not say this is definitely going to be a problem and it does not say this is the evidence. In fact, we asked the Canadian Bankers' Association and some of the other larger institutional lenders on several occasions for statistics, for numbers, and they simply did not have any. What that letter expresses are fears.

The member opposite would like to see some amendments as a result of those fears. Let me put it to him this way. We have looked at what they are requesting and if we find that there are problems with this legislation, I have no opposition, in principle, to bringing in those amendments at a later date if there prove to be problems. But again, having canvassed everybody on this issue—small, medium, large, on both sides, landlord and tenant—the indications we have are that the possible dislocations are unlikely and would be of such a small scale that it would not result in large adjustments in the mortgage market and would not have an impact on affordable housing.

I do not oppose what the member is saying in principle. I am simply saying that having gone through this for months, conferred back and forth with both groups, saying to tenants, "This is what the bankers say to us, this is what the lenders say to us, that there might be a small adjustment in terms of the mortgage market. Do you have a concern about that," they replied, "No, we don't think it's going to affect the supply of housing." Going back and forth, the conclusion we came up with was that there is not a significant concern here.

Again, I put it to the member that if we find, after having passed this legislation, that there are problems, I have no opposition in principle, no opposition whatsoever, to considering some of the options that the Canadian Bankers' Association is proposing, but we do not see a need for them at this time because the current of opinion, and it is a heavy current of opinion, is that it is not necessary.

Mr Harnick: Just very briefly to conclude my remarks about this, I appreciate the offer of the Attorney General to bring this back if a problem arises, and I think it would be his duty to do that in any event, but I merely want to point out that I have the same letter from the Canadian Bankers' Association. I did not get the impression that what was reflected in that letter were fears. I got the impression that it was a well-reasoned letter based on

the experience of the association for the institutions that provide the bulk of mortgage money for the purchase of single-family homes. I certainly did not appreciate their remarks as being fears. I appreciated their remarks as being well-reasoned arguments based on experience. I think the Attorney General is categorizing what they have said in a somewhat wrong vein, but that is neither here nor there.

1600

Mr Tilson: Just as a response to two of the comments that were made by the Attorney General a few moments ago, he can say that he has surveyed and that he has a few letters. I can tell him that I have spoken to a great number of real estate people, legal people and financial people. My statistics are probably as loosey-goosey as his, quite frankly.

With all due respect, he referred probably to several letters. I do not know how deep his survey is, but many people simply are not aware of this. They are simply not aware of this in the business community. It sounds as if, with due respect, he is referring to several letters, none of which is conclusive. I hope he would clarify that. If my assumption is incorrect, I hope that he would correct that.

With respect to illegal apartments, that is a problem all over the province. It is a major problem that municipalities have, and this government, all governments have as to how to deal with these situations.

I can tell the Attorney General that in my experience, and I would assume in his experience, if he has certified any titles to institutions, the banking institutions would insist that the zoning requirements of that particular single-family home have been maintained. If the solicitor knows about it or if a financial institution knows about it, they do not get the money. They just do not get it.

So that comment with respect to illegal basement apartments simply does not apply. In fact, it is almost as if this could stir up the pot, because a lot of municipalities, as I understand it, simply are living with the problem. They know it is out there, but if there are no major complaints, they let it lie, and the province is doing the same thing. Otherwise, the whole issue of affordable housing and availability of housing—

Interjection.

Mr Tilson: They are, but I can assure the member that most solicitors, if it is drawn to their attention, are not going to go on the hook. Why should they, particularly if you get into mortgage foreclosure proceedings and you end up with an illegal tenant. The solicitor would be sued.

I think there are a number of legal and complicated issues that are surfacing as we talk about it more. The member for Willowdale has referred to some. I encourage the government to either support the amendment or withdraw this portion of the bill. I think our party has agreed that the proposal that was put forth in January 1990, I think it was, does resolve the problem, but with all due respect, I believe the government is creating more problems in trying to solve another problem.

The First Deputy Chair: All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The First Deputy Chair: Mr Harnick moves that subsection 43(2) of the act, as set out in section 2 of the bill, as printed, be struck out and the following substituted:

"(2) A residential premises that is a duplex, a triplex or a fourplex is a single-family home."

Mr Harnick: The purpose of this amendment is to further define the term "single-family home" so that the term includes duplexes, triplexes and fourplexes. I am not going to repeat everything I have stated so far, but of course the intention would be to exclude those premises from the onerous and what I believe to be detrimental effects of Bill 40 in terms of the ability to maintain those premises and the ability of families to purchase them and live in one half of them and rent the other half out.

My comments remain the same. I am concerned about the availability of money by way of a mortgage to maintain the properties and the premises and the ability to obtain mortgage financing so that a family can purchase affordable housing.

Hon Mr Hampton: Just so I can be clear that the member for Willowdale and I are not engaging in a unnecessary argument, duplexes and triplexes are included within the policy of the legislation, but they are not included within the definition of "single-family home." In that sense, they would not come under the restriction the member is concerned about. In the way the bill is printed now, there was no concern expressed by any lending agency, large or small, with that part of it. While a duplex or a triplex comes under the general policy of the act, it does not come within that definition of "single-family home." I hope that responds to the member's concern there.

The First Deputy Chair: All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 2 agreed to.

Section 3:

The First Deputy Chair: Mr Harnick moves that section 3 of the bill, as printed, be amended by adding the following section:

"46.1 Sections 45 and 46 do not apply if the mortgaged residential premises is a single-family home."

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 3 agreed to.

Section 4:

The First Deputy Chair: Are there any questions or comments on section 4?

Mr Harnick: Yes. I believe that sections 51 to 53 should be struck out. The removal of sections 51 to 53

would exclude single-family dwellings from the application of the Landlord and Tenant Act when the mortgagee is obtaining or has obtained possession of the premises.

The First Deputy Chair: Are there any other questions or comments on section 4? Seeing none, shall section carry?

Interjection.

The First Deputy Chair: The member for Willowdale made a comment on section 4. That is all. It is not an amendment. I am asking, shall section 4, as stated, carry?

Section 4 agreed to.

Section 5 agreed to.

1610

Sections 6 and 7:

Mr Harnick: It would be my submission that section 5 and section 7 both be struck out. These are the retroactivity sections of the bill. I believe they will place potentially a great many people in some jeopardy who have acted according to the law of the day and now, with the retroactive change, may find themselves in a precarious position. They have complied with the law as it was. Now the law is retroactively being changed, and I think that is in principle something that is wrong and it could have a detrimental effect in this case for someone who has complied with the law.

The First Deputy Chair: I would like to make a comment. I have no amendments to either section 6 or section 7, as I understand it, so I will look at section 6 and section 7 now, if there are any questions and comments on both of those sections. Shall sections 6 and 7 carry?

Sections 6 and 7 agreed to.

Section 8:

The First Deputy Chair: Mr Harnick moves that section 8 of the bill, as printed, be struck out and the following substituted:

"This act comes into force on the day it receives royal assent."

Mr Harnick: I believe that is probably academic in that the retroactivity sections have been passed, so I suppose I am best to withdraw that amendment because it has no meaning at this point.

Hon Mr Cooke: I think it is only fair that I respond to the issue that has been raised by the member for Willowdale with respect to retroactivity. It is a valid concern and it is one that has been anticipated.

When the initial version of this bill was introduced in January 1990 for multiple-unit dwellings, mortgagees and the community in general were put on notice of the retroactivity aspect of it. When the present form of the bill was introduced on 20 December 1990 with its provisions dealing with single-family homes, again there was significant attention paid to putting lenders and mortgagees on notice of the fact that the law might change. All sheriffs have been advised and have been advising both mortgagees and tenants of the proposed changes whenever the sheriff has been asked to enforce a writ of possession.

Mortgagees have been able to protect themselves from any liability simply by complying with the Landlord and Tenant Act or Bill 40. In other words, by complying with this bill or complying with the Landlord and Tenant Act, they would be protecting themselves.

An hon member: If they know.

Hon Mr Hampton: I would suggest they probably know about the Landlord and Tenant Act, since all this bill does is put tenants who are the tenants of a mortgagee in possession in the same situation as tenants who are the tenants of an ordinary landlord.

The effect of the retroactivity is probably to give an evicted tenant a right to sue for wrongful termination, but let's look at that right in reality. Very few tenants, I would argue, are likely to sue for being evicted since January 1990, since the damages would be very small. They might get moving expenses and they might get increase in rent in new premises, but I suggest it probably would not make it worth while, if they were to get anything at all. The irritation of trying to sue on something like that in itself is something the member might want to consider.

But I want him to consider this: If we do not have the retroactivity provisions there, then we are allowing the exact situation this bill is attempting to deal with. In other words—

Mr Harnick: Every bill is like that. There has to be a start and there has to be a finish.

Hon Mr Hampton: The start was well announced, that the day this legislation is introduced in this House is the day it takes effect. Members should take notice. As I said, sheriffs have taken notice and I even note, from some of the decisions in Ontario Reports the other day, that masters and members of the judiciary have taken notice.

We do not believe the retroactivity aspects of it will cause a major problem or result in any grave injustice. As I said, whenever sheriffs have been called upon to deal with this kind of default and potential mortgagee in possession situation, they have advised both parties of Bill 40, of the retroactivity and that they should comply with the Landlord and Tenant Act in order not to run afoul of Bill 40. We think the number of situations that might arise would be very small indeed.

The First Deputy Chair: We are voting on Mr Harnick's motion.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Motion negatived.

Section 8 agreed to.

Section 9 agreed to.

Bill ordered to be reported.

On motion by Mr Hampton, the committee of the whole reported one bill without amendment.

Hon Mrs Coppen: Madam Speaker, I rise to ask unanimous consent that Bill 40 be read for the third time.

Agreed to.

1620

MORTGAGES AMENDMENT ACT, 1990

Mr Hampton moved third reading of Bill 40, An Act to amend the Mortgages Act.

Hon Mr Hampton: First of all, let me say to all members of the House that I have appreciated their assistance and thoughtfulness in dealing with this legislation today. I want to say particularly to the member for Willowdale that I understand his concerns and where they come from and I appreciate the eloquence with which he has stated them.

I give him the undertaking that if some of the problems he identified and that I have looked at for some time arise, we can sit down and look at the appropriate kinds of amendments that will hopefully deal with those problems, because I do not think any of us in this House want that to happen and no one here intends that it will happen. I think we have a difference of degree of opinion as to the likelihood of those things happening. If they occur, I think everyone in this House will want to look at those potential problems and sit down and try to deal with them.

The importance of this legislation is quite simply this: The act will protect tenants from eviction without notice when their landlords have defaulted on their mortgages, and that is an important change. It was thought at one time that this kind of amendment to the law would not be necessary. It was thought that the existing legislation dealt with it. However, an interpretation was given by the judiciary on a set of facts and unfortunately the opinion that was given, the judgement that was rendered, made these amendments necessary.

I want to point out that given the current economic climate, the legislation is especially important. Tenants who themselves have paid their rent on time and met all of the obligations of their leases may still find themselves thrown out of their homes because of the financial problems of their landlords, and that is particularly so in a recession.

The Landlord and Tenant Act is intended to cover all relations between tenants and those who control the buildings they live in. However, as I said, court decisions over the years have made an exception to this rule for mortgagees enforcing mortgage remedies and this act will now, I hope once and for all, specify that mortgagees going into possession are in the same position as landlords and not in a better position. The tenants most at risk from such evictions are those in basement or attic apartments in single-family homes. This government wants to protect the most vulnerable tenants as well as their more secure counterparts.

In our view, extending this protection will, because of the safeguards we have built into the bill, not cause undue harm to lenders. It will have little or no effect on the availability of housing and tenants' groups have been very firm in that view. It will ensure that the housing available can be securely occupied by the tenants who meet their obligations under the law, and I would say the strong indications are that it will not cause dislocations in the mortgage market or with respect to financial lending for single-family homes.

I ask the House to join us in filling this gap in the law and in protecting those individuals in society in the category of tenants most in need of protection. The information we have received in the press over the last few days is that there are a fair number of tenants who would be protected by this legislation and they await this type of remedy with some concern.

Motion agreed to.

EDUCATION AMENDMENT ACT
(MISCELLANEOUS), 1990

Resuming the adjourned debate on the motion for second reading of Bill 30, An Act to amend the Education Act.

The Acting Speaker (Mrs Haslam): Is there any member who wishes to participate in the debate?

Hon Mrs Boyd: I have a desire to introduce some amendments from the government side.

The Acting Speaker: Would you hold just for a minute please, minister. We have found a member who wishes to participate in the debate so we will recognize the member for York North.

Mr Beer: Thank you, Madam Speaker. I was not sure whether the amendments had to be presented first of all.

We began this debate almost three months ago, I think, so I have been going back and trying to refresh myself on a number of the questions I raised at that time and simply want to put them on the record again. I believe the minister may well have some responses to those, but if I can briefly just note several of the areas we had those questions on.

In terms of the basic bill, we were supportive of the intent of the different sections. But initially with respect to the copyright licence agreement, we had three questions in particular and I will just briefly read those out again. Perhaps the minister can report if there is anything that has happened since we debated this on 20 March with respect to the federal government's initiatives or lack of initiatives with respect to this question.

I believe the minister at the time had answered the question with respect to payment. There had been an issue between the boards and the ministry and that had been resolved, but there was also the question around how school boards or the ministry would deal with authors and publishers who are not members of a collective, which was the way we were going to settle this.

The other question was in relation to the taping of radio and television programs, really the whole question of those kinds of materials now used in schools that are not covered by licences with collectives and how that kind of material—audio-visual material, print music and computer software—and those particular areas would be covered.

I think those were basically the questions.

The Acting Speaker: Our records indicate you have already taken part in this debate.

Mr Beer: It was an interesting attempt.

The Acting Speaker: It was an interesting attempt. However, you are out of order and I will ask you to take your seat now. Are there any other members who wish to

participate in this debate? The member for Willowdale, and we will check our records.

630

Mr Harnick: I can assure you, Madam Speaker, I have not spoken on this bill.

The provincial government should not make living in Metropolitan Toronto any more onerous than living anywhere else in Ontario. The people of Metro should have access to the same facilities and programs as those living in other parts of the province.

The government's Bill 30 clearly encourages the kind of discrimination I am referring to. The northern boundary of the riding of Willowdale is Steeles Avenue. Because the York Region Board of Education is building new schools, whereas the Metropolitan Toronto School Board is renovating and reconstructing schools, a person who lives north of Steeles Avenue has available to his or her board of education funds for the construction of day care centres. The schools of Metropolitan Toronto do not have access to these same funds.

I do not feel it should be a penalty to live in Metropolitan Toronto. New schools are provided with the necessary funds for day care centres. Old schools which are being rebuilt are not provided with the same funding. With Bill 30, the construction of a new child care facility which does not happen to be in a new school has to be funded through local tax dollars. This downloading on the municipalities will result in higher property taxes.

It is important to clarify the government's intent with regard to child care funding. The government has created a demand for child care facilities in schools throughout the province by having an explicit policy supporting child care centres in all new schools. The government is implying that child care facilities will be available to everyone, yet the reality is that child care facilities are available only to those people living in new subdivisions. People who live in established communities will not receive the same benefits.

During the election, the Premier stated, in response to a questionnaire from the Metropolitan Toronto School Board, that the NDP would ensure 100% of capital day care costs to Metro's schools. I find it repulsive that the NDP government makes these blanket promises, only to turn around and exclude Toronto, North York and the rest of Metropolitan Toronto and other established communities from the funds that are to be allocated.

The government downloads its promises on to the municipalities and then forces the municipalities to live up to the NDP promises. McKee Public School, in the heart of Willowdale, is being rebuilt. The school already has a day care centre with over 70 children, yet no funds have been allocated for a day care centre in the new school and none are forthcoming. What is going to happen to these 70 children when the school is rebuilt?

I urge the government to treat all areas of Ontario equally and guarantee that McKee Public School, and every public school in my riding that has the opportunity and obtains capital funding for reconstruction, will receive the much needed funds for their day care centres.

Mr Tilson: I wish to limit my comments specifically to the issue of the day care that has been referred to in this bill. Under this bill, all new schools must be built with a child care facility, unless the board requests an exemption. As I understand it, and I would hope the minister would clarify this, there have been to date several requests for exemptions and none of these requests have been granted, which raised the whole subject. We are all in favour of day care—all of us. I am sure that everyone on all sides of the House is in favour of day care and the need for day care.

The question is, who is going to pay for it? Should the overall taxpayer pay for it or should the property owner pay for it, because I can assure members that once these institutions are put forward in the schools, there is the subject of salaries, there is the subject of providing proper schoolground facilities. There are other areas: There is the equalization of salaries between the day care people and the teachers. All of these subjects are subsequently passed on to the property owner, the taxpayer, the property owner who is paying municipal taxes. It is another example of downloading, which both this government and our party opposed the previous government for doing, passing an obligation that the overall taxpayer must provide on to the property taxpayer. The property taxpayers simply cannot afford any more of this downloading that has been going on, and this is another example.

When I rise to speak, I am not against the subject of day care; I am in favour of day care. What I am opposed to is the minister's philosophy, or the government's philosophy, of passing this responsibility on to the school boards around this province.

It was my understanding that the changes that Bill 30 allows would create needed day care centres in existing schools as well, either by additions or refitting, and that they would receive provincial funding in the usual way for approved projects.

Again, the philosophy of it is commendable. What I am opposed to, and what our party is opposed to, is the downloading principle of passing on a provincial responsibility to the municipalities.

I would hope the Minister of Education would comment on those thoughts as to why she is passing a provincial responsibility on to the taxpayer.

There is no question that, whether one is talking a planned school, a new school project—and I know of two in my riding of Dufferin-Peel, one under the separate school system and one under the public school system, where new schools are being planned—or whether one is talking about school sites that are going to be expanded or added on to to provide day care, these school sites will have to be expanded to accommodate such things as playgrounds. As I have indicated, this will add extra costs to the school board and, in turn, to the property taxpayer.

I cannot speak any further with respect to that subject. It is a basic objection. When this government was campaigning in the last election, it was opposed to the downloading on to the property taxpayer. I am sure we are all opposed to it now. I cannot believe that members of the government are not opposed to it, because it has been discussed around this province in tax revolts, in the coming

municipal elections, and this is a subject that I can assure you will be debated.

There is still time for the minister to change her mind, because I can assure her that her government will be blamed for the increasing municipal taxes that are being put on the property taxpayer, and one of the examples as to why this is going to occur is this philosophy of having day care being funded by the property taxpayer.

The government has created a demand for child care facilities in schools throughout the province, certainly by having an explicit policy of putting child care in all new schools. Parents, as well as people in this House, want day care. I think that where they will find the general members of the public are opposed to this type of philosophy is that they do not want it paid for by the property taxpayer.

If the government does what it is going to do, if it is going to pass this specific section of the bill dealing with day care, what it will mean is the local taxpayer once again will have to foot the bill.

1640

Mr J. Wilson: I am concerned that the legislation we have before us this afternoon is intended as a housekeeping bill but is much more than that and will create more problems than it will solve.

It is my understanding that the bill authorizes capital grants to school boards for child care facilities in new and replacement schools, and the flip side of this coin is that it permits school boards to raise funds locally to create and upgrade child care facilities at existing schools.

This section of the bill that deals directly with child care facilities is indeed ill conceived. Chief among its faults is the notion of downloading, as my colleague for Dufferin-Peel has mentioned, the continuation of downloading programs on to the shoulders of local school boards without an accompanying cheque from Queen's Park to pay for them.

It is my belief that the child care provisions of Bill 30 continue a negative trend that has wreaked havoc upon local school boards and their ratepayers. By establishing child care facilities in new schools, the NDP government will undoubtedly raise expectations in local communities without child care facilities in their existing schools. The result is that local school boards will once again be caught in the middle. They will be forced to provide child care services or incur the wrath of angry taxpayers, yet to provide these facilities within existing schools means that local boards will be inundated with criticism from taxpayer coalition groups which are monitoring every dollar they spend.

It is time for the powers that be in Ontario to adopt a new commonsense approach to educational governance, one that insists and is premised on the belief that he or she who speaks pays. It is time to deal head-on with problems instead of passing them off. This government has chosen not to meet this challenge but to carry out the policy of downloading that was initiated and seen so very often in actions taken by the previous Liberal government.

With Bill 30 the NDP government is using a subtle tactic to eventually force local boards to increase mill rates

in order to provide child care facilities. I recently met with a group of public school trustees from my riding in Simcoe county. Here is a sample of what I heard during this meeting: "The province continues to enact new legislation without any regard as to how it will impact local school boards. The taxpayers want us to reduce the mill rate, but we can't cut back on programs and services which the province mandates."

There is nothing new or profound in these remarks, but what they indicate is that the change in government has done nothing to mitigate the growing burdens faced by taxpayers and local school boards. Today it is clear to me that this government has not staked out a path to remedy this problem, but merely to exacerbate it.

Junior kindergarten is a marvellous program in theory, but its glamour is tarnished considerably because of the province's failure to forward the money to the school boards to pay for the program. Junior kindergarten is an example of the province's neglect of the notion that he who speaks pays.

Fewer students in each classroom would be a wonderful improvement to our education system, but where is the virtue of imposing such a policy when its costs are hoisted on to the backs of local school boards? What this means is that local taxpayers are once again forced to squeeze their wallets even tighter. Yet another Queen's Park brainstorm results in an increase in the burden on local taxpayers without any regard for the notion, once again, that he or she who speaks should pay.

This is only the beginning. What should be the guiding principle of "he who speaks pays" was neglected with regard to pay equity, the employer's health tax levy, health and safety legislation and all-day senior kindergarten. I do not see the fairness or the sense of partnership in a relationship structured upon the government as the idea man, while local boards are left to take all the flak as the implementers of the ideas thrust upon them by Queen's Park. I believe that no one in this Legislature would question the need for special education, but is it not odd just how willing the government is to have local boards deal with a disproportionate amount of the problem?

Once again, here is an example of what I am hearing from public school trustees in my riding. I quote from a letter that was sent to me by one of those trustees:

"One case I studied, I followed, and it shows that the student required personalized equipment in the amount of \$9,300 to meet his program needs alone in the years 1986 to 1989. This student is serviced by a classroom teacher who is also responsible for eight other special students, a full-time aide, a speech teacher, a vision resource teacher, a resource and withdrawal specialist, as well as a family resource worker.

"As you can imagine, the expenditure for specialized equipment as well as human resources becomes quite costly, and unfortunately this case is not always the exception, but becoming very common within our system. No one is denying the real needs that these students have and that they must be serviced, but the province has to fund their needs more appropriately since we are required to be the vehicle that meets their needs."

That is the end of the quote, but it is certainly not the end of the negative trend that we have been seeing over the last few years. Not only have local school boards been forced to shoulder more programs, but they have been forced to do so with substantially diminished support from the province.

During the course of decreasing provincial support for education, assessment pooling came along and further handicapped public school boards. Pooling has cost the Simcoe county public school board almost \$300,000 in 1990, with the projected loss to be about \$1.5 million by 1995. How are local boards in Simcoe county, both public and separate, supposed to realize the endless aspirations of the provincial government with less and less funds?

One more example is the land use policy implemented by the Ministry of the Environment last year. The Simcoe county public school board, which has a large rural component, has been attempting to replace an outdated school in the village of Nottawa. They had an offer to purchase a 40-acre site, but this was nullified by the Ministry of the Environment, which said the site was too small and that a 18-acre site was necessary for environmental reasons. After negotiations, the size was reduced to 28 acres. This clearly indicates the difficulties that plague local boards. After wrangling, the Simcoe board was able to escape by paying three times as much for the land it needed to construct a replacement school. I can tell you, Madam Speaker, that local boards have not had a threefold increase in funds from Queen's Park.

Once again, the province spoke and the local boards and taxpayers paid the price. Now the province is creating a prisoner's dilemma of sorts with Bill 30. Child care facilities are not being forced on local boards, but they are now being created in new schools. If existing schools desire the same child care facilities, they will be forced to raise funds locally to create them.

Let's not be naïve. When parents see child care facilities in some schools, they will want the same for their own children. They may even write the province to request such a facility, and the provincial government, as it did so capably during the five years of Liberal mismanagement, will indicate to them that the decision is up to the local school board. All the flak, all the heat and all the expense is to be borne by local boards after the government here at Queen's Park raises a myriad of expectations with Bill 30.

The legislation does not clarify funding for new and existing child care facilities. However, the indication is clear, and the Ontario Public School Boards' Association has stated this to be the case in a letter sent to the Minister of Education in February. The Ontario Public School Boards' Association is correct to assume that the child care provision of Bill 30 creates real problems for assessment-poor boards which lack the ability to raise funds locally.

Is our goal as legislators to institute a system of inequality of opportunity? I say it is not, and it should not be, but I fear this will occur if this legislation is passed as it currently reads.

An additional problem is the bureaucratic headache created with child care facilities funded and located on education sites. The requirements to gain access to these

child care facilities are controlled by the Ministry of Community and Social Services. Space and design requirements as set out in the Day Nurseries Act are different from those in the Education Act for children in the same age group. I suggest that what the system does not need is more confusion.

I would suggest the government heed the advice of the Ontario Public School Boards' Association in its 20 February letter to the minister. I will just quote from that letter. It says:

"OPSBA suggests that because there are different realities across the province, when considering the need for child care, the Ministry of Education, in consultation with local boards, develop a definitive long-term plan for the implementation of child care in Ontario."

The government must send out a more positive message to school boards, one that indicates clearly that local boards are not alone. The section on child care does not send out this message, and therefore my caucus colleagues and I cannot support the sections in this bill dealing with child care. If the minister were to withdraw these child care provisions, perhaps we would reconsider our position.

1650

Hon Mrs Boyd: Since the last three speakers have alluded primarily to the child care aspects of the proposed act, I think it is time to answer some of the questions that have been raised. They were raised previously in the debate as well.

I make no pretence and my party makes no pretence that this particular bill, Bill 30, answers the multitude of questions all of us have about the comprehensive delivery of child care services in Ontario. It was not intended to do so. That matter is a very serious matter and one which concerns many people in our community for many different reasons. For that reason, our government has determined to embark upon a very extensive child care consultation looking at all these issues and looking at interministerial responsibility, as the member suggests and as OPSBA suggested. We need to look at those crossings of responsibility.

What this is meant to do is legitimate the process that has gone on under the previous government and under our own government of making funds available to new schools for the provision of child care. At the request of the Metro Toronto School Board, in answer to the member for Willowdale, this has also given authority to school boards to raise those funds where they so choose. This is in no way intended to be a definitive answer to child care problems, which I would certainly agree are urgent and which our government intends to address in the very near future.

Mr J. Wilson: Madam Speaker, do I get to respond to that?

The Acting Speaker (Mrs Haslam): No, you do not. I am still in questions and comments. I would like to be sure that there are no other questions and comments on your participation and then you will be allowed two minutes to wind up your debate.

Mr Ruprecht: The member for Simcoe West read a quote that states unequivocally that there are different realities across this province, and that is so true. What I like to

do is ask whether he could in his remarks or whether the minister could in her remarks expand on the idea of creating a greater justice among school boards.

For instance, in the downtown area where the need is great for child care services, the school boards will not be able to access funds from the province. To that degree, there is certainly an injustice within the funding mechanism of Bill 30. It is important that this bill address the inequities across the province. While we would agree that the development of new schools and the consequent funding is a good idea, we cannot leave out the school boards which have added expenditures already in the downtown areas and may not be able to fulfil their role in funding the child care services that are so necessary.

Whether I am talking about the Parkdale riding or other downtown ridings, I think we may be all in the same boat, except that I do know of some instances in the Parkdale riding where these child care services are essential and the school board may not be ready or even able to come up with the funding to supply them. I would therefore submit, either to the member who was talking about different realities across the province or certainly to the minister, that this very fact should be looked into.

Mrs Marland: I would like to respond to the comments that have been made and, in so doing, I would like to raise the concerns of the member for Markham, who tells me—and I am saying this on his behalf—that Bill 30 brings the Education Act in line with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, which came into effect on 1 January 1991. Clause 32(e) of that act indicates that information cannot be released except for the purposes of complying with an act. Subsection 237(3) of the Education Act gives parents the right to access the Ontario student record, report card, etc. Legal counsel at the Ministry of Education have indicated that the municipal freedom of information act does not take away parents' rights under subsection 237(3). However, anything that is outside the Ontario student record would require student consent for the release of the information.

The ministry gave the member for Markham two examples of potential problems in this regard. First is attendance records—the school would not be able to call home to inform parents—and second is notification of suspension. Legal counsel at the ministry have indicated that they will attempt to address these areas in a future omnibus bill.

I simply say to the minister that maybe she has a response to this issue today and, if not, could we have it in writing tomorrow, or is she proposing a future amendment to address these concerns which I raise on behalf of the member for Markham?

Hon Mr Wildman: While I always very much like to hear from my friend the member for Mississauga South—she puts her positions very well, even in the House when she is speaking on behalf of someone else—I really cannot quite figure out how that last comment was a comment on the remarks of my friend the member for Simcoe West, because he spoke most of the time, as I recall, about day care and the funding for day care for school boards, while

the member was talking about freedom of information. It would seem to me that it is most unfair of my friend the member for Mississauga South to use the time we have to comment on the cogent remarks of my friend the member for Simcoe West to speak about another member's concern, which has absolutely nothing to do with the member for Simcoe West.

I was most interested in the concerns of the member for Simcoe West and I was most disappointed to hear him say he would only vote for this bill if we took out all reference to child care. If we should be doing anything with regard to the education field in this province, we should be doing something about child care.

Mr J. Wilson: I do not know what to make of the comments from the Minister of Natural Resources. I think perhaps he is buttering me up for some future negotiations we will get into between tourism and Algonquin Park. None the less, I thank him for the kind comments. This, of course, is an omnibus bill, and my colleague the member for Mississauga South had every right to say what she said and was very much correct in what she relayed from other colleagues.

This bill contains a lot more than child care, but I say to the minister that she is well aware what the problems will be—I think so, because we have raised them; a number of interest groups have raised them—concerning funding of child care and the expectations of communities that will qualify for child care facilities in their schools and those that will not. She is going to have a patchwork across the province.

The minister says the reason that provision is in the bill is she is legitimizing the process of child care that was begun by the previous Liberal government and that she is going to be taking a comprehensive study. I have been a political assistant for some seven years, and I have read absolute reams and piles and piles of studies on child care. I suggest she send her staff to the library and reread some of those studies, without spending any new money on new studies. There are a lot of good recommendations there. She certainly would get a feel for the problems she is creating with the provision in this bill. I would ask that she consider withdrawing the provision so that we can take another look at the bill and perhaps be able to agree with other provisions in it.

1700

Mrs Marland: I would not pass this opportunity because the honourable Minister of Natural Resources, the member for Algoma, who shared this side of the House with me for many years, is here this afternoon saying he enjoys very much what I have to say, so I would not want to disappoint him.

To the very serious matter before us, however, I have here a letter from the largest separate school board in this province, the Dufferin-Peel Roman Catholic Separate School Board. The letter is over the signature of the chairperson of that board, Patrick Meany. I would like to read this letter into the record in order that, at some time, the Minister of Education might address the concerns of this board. The letter is as follows:

"Dear Margaret:

"Re Bill 30, Amendment to the Education Act

"Thank you for forwarding a copy of the bill to us for comment. We do not have a formal comment from the board, but in discussion the following points have arisen.

"Child care facilities: Once again, the permission given here will cost boards money. We are already funding local costs associated with child care facilities in new schools. The proposals in this bill would tend to increase local costs. We would suggest that your child care facilities be funded completely by the ministries of Education and Community and Social Services."

"Copyright licence agreements: If these agreements are to be negotiated by the ministry, they should also be paid by the ministry. There would be great economy in this mode of operation.

"The other proposals in the bill are acceptable as they stand.

"Yours sincerely."

I also have a report here from the Peel Board of Education, the largest public school board in Canada. It has some pertinent comments on Bill 30 that also need to be brought to the attention of the minister. The first issue is where each school board would be required to develop and implement drug education policies by September 1991. I read for the edification of the minister: "The current drug education policy and administrative procedures of the Peel board fit the criteria outlined in the ministry policy framework. In fact, Peel was one of the first boards in Ontario to undertake a comprehensive review of its drug and alcohol education curriculum and policies." I think you would agree this is very commendable.

The next subject I want to bring to the attention of the minister is the authority for school boards to require a deposit for textbooks provided to pupils enrolled in a continuing education course or class in which a credit towards a secondary school diploma may be earned. The Peel board response on this is as follows:

"Should regulation 262 be amended to require boards to provide without charge textbooks for continuing education pupils enrolled in credit courses, then the board would support the recommendations.

"The greater issue, however, is that additional costs to the board will be sizeable. The Peel board annually serves some 5,000 continuing education clients in this area. The cost for textbooks would be in the range of \$200,000. Further, these textbooks would have to be stored in board facilities, facilities which we presently do not have."

The next issue is to establish a maximum fixed period for the suspension of a pupil from school, and that is amendment 22(1) as follows, "A principal may suspend a pupil for a fixed period not in excess of 20 days."

The board response is as follows: "The board supports fixing the maximum period for which a principal may suspend a student at 20 days. It would, however, consider any school suspension beyond 10 days as extreme, and would establish administrative guidelines for principals that would govern the circumstances under which a suspension of greater than 10 days could be levied. The Peel board would support this recommendation provided that any

revision to section 22(2) does not remove the right of the board to confirm or modify the suspension, thus providing the board with a disciplinary measure intermediate between a school suspension and expulsion."

One other issue is whether sick leave credits should be transferable between boards despite intervening employment that interrupts the continuity of employment under which credits are accumulated. Apparently, the ministry is amending section 158(6) to permit the transfer of sick leave credits where there has been a break in employment.

The board response is: "The Peel Board of Education would not support this recommendation. In our view, the proposed amendment should not be enshrined in the Education Act, but should be at the discretion of the individual boards."

The final comment of the Peel Board of Education is on the issue of exemption from payment of fees for visitors who, while in Canada, apply for permanent residence and landed immigrant status. The ministry is recommending that visitors who, while in Canada, apply for permanent residence and landed immigrant status be permitted to attend school without payment of fees.

The Peel board response is: "This requires clarification of the term 'permanent residence.' Application to immigration would not be sufficient and the Peel board would recommend that immigration provide an approval granted in principle on the basis of appropriate documentation. Given this approval, Peel could then admit a student without payment of fees."

I hope the minister will consult with her staff on these responses of the Peel Board of Education, and I say in closing that the last point is one that is particularly pertinent for Peel, since the largest number of those students who are awaiting landed immigrant status or permanent resident status are within the jurisdiction of the Peel Board of Education.

The Peel board is not saying, of course, that it does not welcome these students. They do welcome them, but they cannot accept the financial burden for them without some assurance in principle from the authorities that they will be eligible for the landed immigrant status they are hoping to achieve. If they are approved, then of course the board will assume the cost of their education, as it does for anyone else.

I think it is really relevant to also tell members at this point that the region of Peel has over \$1.7 million outstanding for the direct costs of the payment of provision of services for those people who are in that vacuum awaiting landed immigrant status in Peel. The taxpayers in Peel are saying that they are already supporting these families and that it is fair they not be exempted from fees unless there is an approval in principle for their status. We ask the minister to respond to the board with its concerns about Bill 30 as soon as possible.

1710

Hon Mrs Boyd: The whole latter part of what the member for Mississauga South was talking about was parts of the bill that I in fact introduced today for first reading. It has nothing to do with Bill 30, although I was

interested and wanted to hear her comments, because of course that is part of the feedback that we want on new bills that we introduce. I certainly take very seriously the comments of Peel.

I am not going to spend a lot of time speaking to the letter from the Peel board, because it refers to the bill we did today. We will have lots of time for that during the consultation period. The child care concerns that were raised by the member, however, are of deep concern, as I said before, and in my summing up remarks I will be answering those concerns directly.

Mrs Marland: I assume that the child care concerns the minister is referring to are those that are raised by the separate school board. I think it is quite fair for those concerns to be tabled on behalf of any of the boards in this province, because it is like so many things to do with education—people down here in the ivory towers of Queen's Park come up with ways to spend money, but not always in terms of very real priorities.

I support the programs that are initiated by ministries, and in this case the Ministry of Education, but what I do not support is where ministries—another example I can give for the Ministry of Education is the reduction of class size, which was not done by this government. It was done by the previous Liberal government. What happens is these mandates come down from on high, no discussion takes place with the school boards as to whether they can afford them or whether they even have the space, and very often the space is the biggest hurdle. It is simply impossible for them to overcome it.

If we are talking about priorities in terms of where the money comes from, if the province is going to announce provincially mandated programs in education, then the province must pay for them, because the taxpayers cannot assume any more additional burden on their property taxes. If the minister does not have the money, she should not announce them, or if she wants them badly enough, she should take them from another program area in her government.

Hon Mrs Boyd: As I indicated before, I have two amendments to the bill and wonder if we could move into committee of the whole to consider those amendments.

The Acting Speaker (Mr Villeneuve): The honourable minister has moved second reading of the bill prior to going to committee of the whole.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

EDUCATION AMENDMENT ACT (MISCELLANEOUS), 1990

Consideration of Bill 30, An Act to amend the Education Act.

The First Deputy Chair: Would the minister care to list her amendments, just to the sections.

Mr Beer: On a point of order, Madam Chair: I just want to be clear about the procedure here. The minister is going to present her amendments, but we will be discussing or be able to raise questions on each section.

The First Deputy Chair: Yes.

Hon Mrs Boyd: The sections are section 4 and subsection 8(3).

The First Deputy Chair: Are there any other amendments? Are there any comments or questions on sections 1 through 3?

Mr Beer: I had set out, in my confusion earlier, in my discussion of second reading, and meant to do it in committee of the whole, just a number of questions that I had posed during second reading. I do not need to go back and list all those, but I simply want to indicate that to the minister. I believe she has some answers to the questions that I and the member for London North raised. There were several, and I reiterated those earlier this afternoon.

You said to the first three, I believe, Madam Chair.

The First Deputy Chair: Section 1, section 2 and section 3, because the first amendment we have is for section 4.

Mr Beer: Those would be my questions then with respect to the copyright licence agreement, and I would appreciate hearing the minister on those questions that I raised earlier.

Hon Mrs Boyd: Yes, I am happy to answer those questions.

The question regarding the relationship with the federal government in terms of the copyright agreement is that as far as we are aware, there has been no move by the federal government to implement phase 2. This means that the protections that teachers and school boards have been asking for in terms of exemptions are not yet available. The minister then responsible in the federal government did not respond to the request from the Council of Ministers of Education, Canada. He was scheduled to meet with us in February but in fact did not attend that meeting, so at the present time we do not know when the federal government is going to move along with phase 2. That does concern us and concerns our partners in this endeavour.

1720

There was a question raised about the financing of the copy agreement. In the original consultation that went out on this, the proposal was that boards of education would share in the cost of CanCopy. That was withdrawn by our government. We will be using some of the education programs' other money that is in the budget of the ministry to cover the costs of this program.

The member inquired as to whether audio-visual materials, print music, computer software and so on were included in the licence agreement that is being proposed. Unfortunately, they are not. Boards will be required to approach copyright holders for consent to copy until such time as collectives are set up for these groups.

At the present time, unlike CanCopy, there are no collectives set up to cover this kind of material. When those collectives are set up—and we believe that if we manage to negotiate a CanCopy agreement, that will be an incentive for those kinds of collectives to be set up—then our strategy would be to negotiate on that level with the appropriate groups. We certainly agree with the member that this is a matter of deep concern to those who are using these kinds of materials in the school.

In answer to the question of the member regarding what would happen when authors or publishers are not part of CanCopy, part of the agreement would indicate that those who specifically do not wish to have their materials copied could get excluded from the agreement. When there is a specific prohibition, their material would not be copied. That was felt to be a protection for those creative endeavours, but also to lessen the kind of red tape that is required in terms of this kind of material.

I think that covers the issues raised in sections 1, 2 and 3 by that member, although in his original speech, when he was asking about this bill, he did raise a number of questions that have been raised by other members about the child care provisions. I am not clear whether he wishes me to answer those at this point in time or not.

Mr J. Wilson: I would like the minister to expand a bit on the provision of child care, particularly in terms of who is going to pay. She is now allowing child care facilities to be built in new schools. What if in, say, Alliston, my home town, where we have a new school being built, the existing schools in town decide they want or need or the parents want child care facilities in those schools? Who pays for those facilities and the construction or implementation of those facilities?

My views are, as the minister has heard me say, that she is putting tremendous new pressure on the property tax base, on the school board tax levy. Would she not agree that by doing that she is hurting those for whom her government most often advocates in terms of some glorious speeches that are given in this House from time to time regarding the poor and seniors on fixed income? Property tax, the school board tax, I think you would agree, is a very regressive tax and we should not be putting more pressure on that and raising mill rates. I would like to hear her comments on that.

Hon Mrs Boyd: I think the concerns the member raises are very legitimate. He has heard me before in this House echo the concern about the burden on the property taxpayer in terms of a lot of the services we offer in the educational field. He knows of my commitment and my government's commitment to look at ways to review the funding of education to try and relieve that tax burden, to move the cost burden for education more and more on to ability-to-pay taxes. That is certainly a commitment we have.

I think what the member needs to understand is that the amendments we have put in, and specifically the permissive amendment which actually is farther along in section 5 of this act, to permit school boards to raise the money to build day care centres in schools, were made at the specific request of the Metropolitan Toronto School Board, which does not have, in the usual course of things, as the member for Willowdale pointed out, the grant position that would allow the province to be allocating funds for new schools, but it certainly felt that it wanted the ability to raise those taxes if in fact it wanted to add child care spaces.

This act does give us the right, which has already been exercised by the previous government and of course by ours, to make allocations in respect of construction of child

care facilities. That is the capital allocation. There seems to be some confusion on the part of the members of the third party about the difference between those capital allocations and the ongoing operating costs of the child care centres, which are not borne by the education sector, but would be borne, as are other child care centres, through the subsidies and that sort of thing. The capital expenditures are somewhat removed and somewhat different and most of the child care that is provided in schools is provided through non-profit, community-based groups.

The other comment made by the member for Parkdale in terms of the child care issue was with respect to the downtown core and the fact of our asking for legislative permission to make allocations with respect to the construction of child care facilities and how that does not apply to schools in the downtown core in many cases. He, of course, is right. That is an issue of equity, as he points out. However, the issue of equity is much broader than he suggests. The assessment base for Metropolitan Toronto is very broad. In fact, Metropolitan Toronto, through the equalized mill rate process that has been followed under the operating grant structure of the province for some time, raises sufficient money to support education in a much greater degree than in other areas that have less assessment.

When we look at the funding of education, we will be looking at those inequities and I am very pleased to hear that members are as aware of the issues of equity in terms of funding as they appear to be, because that will be an important issue in that consultation.

I think the member for Parkdale ought to know, however, that because of the shift of population in the downtown core, there are many empty classrooms which the Metropolitan Toronto school boards have turned into child care centres to meet the needs of their community and to make effective use of the public resources that they have at hand.

Our concern, as a ministry, is that as there is a turnaround again in population, as there is more intensification of housing and so on, our schools are often filling up more and more and we are finding that schools that have committed space to child care centres are now needing that space back for classroom space. We agree that is a problem. It is a problem we are going to have to come to grips with in terms of an interministerial action on child care, as I mentioned earlier, which is a priority for us as a government.

We are not in any way pretending that this act answers all the issues around child care. It cannot and it is not intended to do so. What it is intended to do, first of all, is to make sure that we have the legislative authority to provide the grants we have been providing for some time. Members would probably be interested to know that a large number of centres have been funded under this program; 249 child care centres have been funded under this program and 105 of those are already in service. So we are wanting to have the legislative authority to grant that money and to allow school boards to raise money where they choose.

That is the issue. It is a choice. They are able to make that decision based on the requirements and requests of their constituents. If their constituents are asking for things

the board is not prepared to grant, then that is part of the whole business of being responsible representatives.

I think that answers most of the questions that have been raised in those areas by the previous speakers.

1730

Mrs Cunningham: I will take the opportunity to talk right now with regard to child care facilities, although I understand we also have section 5 where we can deal with it, but I think my comments will be on the topic. There are two issues I would like to raise right now.

First of all, of course I spoke against the child care component of this particular piece of legislation, because I thought we were probably getting into a very complicated area and we had not discussed the whole policy of child care; who would eventually be responsible for the construction of facilities across the province and who would be responsible ultimately for the operating cost. Right now the minister has clearly said that in her view it is the Ministry of Community and Social Services, and I certainly agree with that.

She has also promised that in those discussions we in opposition would have an opportunity to speak with her about our concerns, and we very much appreciate that, but at this point in time there are a couple of concerns in the communities. I will raise them one at a time. Perhaps it would be allowable for the minister to respond, because I think it is a great opportunity to clarify some things.

First of all, around the boards right now, some school boards are constructing two and three new schools. Lucky them. Others are not getting the grants from the ministry, as the minister has already described. But where boards are getting grants for new schools in new areas but they find it is not necessary for them to put in the child care facilities immediately, it has been discussed either with the minister or ministry officials that in fact they could transfer those funds to another school where the need is greater in any one community. I would like the minister, when she gets an opportunity to respond, to respond to that one. Let's get that one on the record so that I can send out Hansards as opposed to answering the telephone.

The second area of concern is this: Beyond that issue, there has also been some discussion on a consultation process to allow boards to apply for funding for child care centres in existing schools. I think this has probably been raised with the minister as she has been travelling about the province. I am not aware of that possibility, so in the interest of some clarification here today, I would appreciate responses from the minister on those two issues.

Hon Mrs Boyd: The legislative authority we are seeking does not cover, of course, the regulations and the policy of the capital allocations. That is where the rigidity came in that the member commented on in her original speech on Bill 30 and which has been of great concern to many communities.

First of all, the flexibility to allow the school boards to shift the allocation as it is given from one school to another if that is in the best interests of their constituents under their decision-making process we think is a very reasonable request. We have already informed boards that

have been asking that we see that as a reasonable request. The request to transfer allocations would be approved only after the board had passed a resolution to that effect. We need to make sure that there is an accountability there. It certainly would be at the discretion of the minister, but certainly I cannot see any reason why we would not agree to that where boards are coming forward with that kind of request.

The issue on this provision of child care centres in new schools is one where we want to ensure that there is some equity around the needs of parents. Sometimes boards of education make decisions that do not really accord with the wishes of people in the community. They may decide that there is child care available through some other means, but in fact not in the publicly owned space. We want to be sure we are making those decisions based on the best wishes and the best needs of the communities involved over the long term, because these are facilities that are there as fixed assets for the community and that would be needed.

In terms of the second part of the question, I am afraid I was not clear on exactly what the member was trying to get at, but my assumption is that she was wondering whether we would be coming forward with a full policy in terms of how to deal with these capital allocations for child care centres where they do not come under this particular program. I would repeat what I said before, that it would need to be part of a comprehensive child care plan, which certainly we need to be sure we are working at in an inter-ministerial way, and also in terms of the child care commitments that have been made by the federal government, to ensure that we are providing a comprehensive system of care for children.

It has not been determined at this point in time, of course, whether that comprehensive system would continue to be under the leadership of the Ministry of Community and Social Services, whether it would be a joint ministry proposal; that is all under consultation. We certainly intend to discuss very thoroughly with our colleagues on the other side of the House and with all the stakeholders in this area the best way to provide a comprehensive system.

Mr Ruprecht: I am delighted to hear of the minister's flexibility in terms of being sensitive to downtown schools, especially those which seem to be growing and which need the space again that was previously allocated for different purposes.

My only remark or question would be, how would she be able to accomplish that goal? Would she be able to entertain an amendment at this time, or would she simply need extra time to establish some kind of a policy or a different funding mechanism later on? If possible, I would like to have some kind of response to that kind of approach she was hinting at. As I said earlier, I am really delighted for the minister to show that sensitivity.

Hon Mrs Boyd: In response to the member of the opposition's question, I would not be prepared to entertain an amendment at this time, partly because one would not

be necessary. This is permissive legislation to give us the legislative authority to grant allocations for child care centres.

The policy that he talks about and that I would dearly hope to see us being able to bring forward in the very near future over the whole issue of how allocations are made to child care and how we actually reach this goal of a comprehensive system is certainly the issue for interministerial discussion.

I am not the lead minister in terms of child care. It would be inappropriate for me to make a commitment to the member at this point in time either about the timing of such a policy statement or indeed the direction it would take, but I can assure the member that we on this side of the House are extremely sensitive to the kinds of issues he has raised. We have a deep concern about the very great complications we are facing in terms of maintaining existing child care, as well as creating new child care spaces, and that will be a very important part of our policy discussions in the future.

1740

Mr Beer: I forgot one question as I looked over my comments from 20 March, and I wonder if the minister would just respond. I may know the answer, given things that have happened since. But with respect to the letter from the Metropolitan Toronto Association for Community Living and its request, I understand that would be covered by the other amendments the minister brought forward at the end of last month. Perhaps she could just comment on that so we have it on the record.

Hon Mrs Boyd: The member is referring to concerns that were raised by the association for community living about special education, and those special education issues are extremely important and urgent. The amendments we introduced in this House—I guess it was two weeks ago—will deal with some of those concerns. The remaining concerns, which really talk about the way we design programs, the guarantees given to parents for input into the appropriate education of their children, the streamlining of the individual program, plan process, are the subject of a major consultation and new legislation will come forward on that.

Mr Beer: Just to clarify that last point, because a question has come up with the minister and with others of us around the relationship between the consultation process and the other amendments that were brought in, in dealing with that, that consultation period goes until the end of December, after which the minister would be considering bringing forward legislation on the results of that consultation. Is that correct?

Hon Mrs Boyd: That is correct.

The Second Deputy Chair: Further questions and/or comments on sections 1, 2 and 3 of Bill 30.

Mrs Marland: Are these comments on the amendments?

The Second Deputy Chair: On sections 1, 2 and 3, and we will be getting to amendments very shortly.

Sections 1 to 3, inclusive, agreed to.

Section 4:

The Second Deputy Chair: Mrs Boyd moves that section 4 of the bill be struck out and the following substituted:

“4(1) Section 136-1 of the act, as enacted by the Statutes of Ontario, 1986, chapter 21, section 2 and amended by 1990, chapter 24, section 6, is further amended by adding the following subsection:

“(20fa) Despite subsection (20f), the boards concerned may agree to share the amount of the payment under subsection (20d) or (20e) in any manner, including the payment of the entire amount by one of the boards.

“(2) Subsection 136-1(20g) of the act, as enacted by the Statutes of Ontario, 1990, chapter 24, section 6, is amended by striking out ‘subsections (20d) to (20f)’ in the first line and substituting ‘subsections (20d) to (20fa)’

“(3) Boards to which former subsection 136-1(20) of the act applied before the 20th day of December, 1990 shall, despite that subsection, be deemed to have had the authority to agree to share the amount of a payment under former subsection 136-1(18) or (19) of the act in any manner, including the payment of the entire amount by one of the boards.”

Mr Beer: I know I talked with the minister earlier, but just for the record with respect to these amendments, I do feel there was a problem with their arriving at the offices of the two critics. I would just like to underline that maybe we can have a look at our procedures so that in fact we have them.

I think the difficulty, as she will understand, is that when an amendment arrives, everybody gets very concerned and worried and wonders what it is all about. While I recognize, having chatted with the minister earlier, that this is an attempt to clarify the arrangements, I just want to note that we would appreciate receiving these earlier so that we and our research people have a chance to look at them.

I would like to ask the minister two things, because the nature of this is fairly complex in the reading of it. First, specifically and perhaps more in layperson's terms, what does this mean? Second, has she consulted or have her officials consulted with the relevant school board associations with respect to this?

Hon Mrs Boyd: I certainly regret that the critics were not in possession of these amendments and we have amended our procedures to ensure this does not occur again.

This section refers to the gratuities that, upon the extension of separate school funding, were often to be shared by boards. Essentially, the amendment I am proposing is simply to bring this act into accord with Bill 12 and Bill 13, which were passed on 20 December 1990. The first reading of this bill was on 17 December 1990. We made amendments in committee to the previous act that necessitated these amendments. Although most of this bill is housekeeping, this is pure housekeeping in terms of bringing this newest act into accord with the act that was passed on 20 December 1990.

Mr Beer: I may have missed it, but were these changes discussed with the school board associations?

Hon Mrs Boyd: Yes, they were. In fact, we have a number of school boards that have set aside gratuity money and are just waiting for permission to share it under this section.

Mrs Cunningham: The minister will not be surprised at some of my comments this afternoon. There is always a lot of concern out there in the community when we hear that the minister is going to bring in a couple of amendments, even after consultation, so we would encourage her to get to us much sooner.

The Ontario Public School Boards' Association, the Ontario Secondary School Teachers' Federation and the Ontario Public School Teachers' Federation are all very concerned about the process that is used this afternoon. Certainly the Liberal opposition critic has already raised his concerns. So I think that when we are bringing forth amendments, the process is to get them as soon as possible so that we can be aware of them.

We would have preferred, of course, for our own research staff to have a look at the wording. I am certain that the federations would have liked their legal persons to take a look at these amendments. But given the good faith in which we are trying to operate here this afternoon, we are prepared to support them.

I also heard the minister talk a little earlier about these being basic housekeeping amendments, which is true, and also that they dealt with our particular concerns. We were not aware of the problem, so I think it is more basically the teachers' concerns. The amendments we were concerned about were with regard to the child care facilities in existing schools, which I think have been discussed at least with regard to the minister's answers today and as far as possible.

I am not certain I understood the second part and the freedom-of-information one, which my colleague the member for Mississauga South raised as being a concern. That was with regard to permission of parents and students, which we hope the minister will take a look at and help us in the future with some kind of amendment if we all feel that is necessary. We will speak in favour of the amendments because I think teachers have a very valid point at this time.

1750

Hon Mrs Boyd: There was a briefing held for representatives of the Ontario Teachers' Federation, which includes the representatives of all the major federations before this bill was introduced. At that time the representatives of the teachers' federation were told these amendments I am proposing were going to have to be made to bring the bill into line with the bill that was passed on 20 December.

I am distressed at their distress, but we certainly had understood they understood that the renumbering of these sections followed upon the government amendments made to the act—I guess it was Bill 12 and Bill 13—and that this would not cause any real concern. That is the nature of these amendments and that is all that is intended by these amendments.

Mrs Cunningham: I hope I have made myself very clear that we are not particularly concerned about the intent of the amendments. We applaud the minister for her consultation process, but when we hear the amendments are coming down and we have not seen them, that is what we are complaining about.

The Liberal critic and I have already discussed with the minister a process we would like to see in place, but I think the federations themselves did not receive these amendments either. All of us are very concerned about having that opportunity to view things in advance. It is our responsibility to do that. I am certain we have legal staff who can reassure us that what we are voting for on behalf of the public we represent is exactly what we expect it to be, and appropriate. That is all I am talking about, not the intent of the amendments.

Mr J. Wilson: I want to pick up on what the minister just said, that the amendment she introduced today is building upon the bill that was introduced and passed in December. If I recall, that was the bill my caucus colleagues and I voted against. I certainly voted against it because it was the God-awful bill that introduced a French-language school board into Simcoe county where numbers clearly did not warrant it. I want to put that on the record.

There is consensus in my riding of Simcoe West and in most of Simcoe county that they did not want another school board mainly because they felt numbers did not warrant it. Some 4% of students in Simcoe county have French as their first language. We agree they should have rights. We believe those rights were well covered under the existing structure of both the separate and public school boards in terms of French-language governance. I just want to state clearly that I would not go around saying, at least in my part of the province, that the minister is building upon the bill that was introduced on 20 December because that indeed was a terrible bill. At least many of the provisions in there were terrible and should never have been passed by this Legislature, in my opinion.

Section 4, as amended, agreed to.

Section 5:

The Second Deputy Chair: Are there comments or discussion on sections 5, 6 and 7, to which there do not appear to be any amendments?

Mr J. Wilson: As in the case of the introduction of a French-language school board in the county of Simcoe, my objection was based on the fact that there was no indication from the minister, either in this House or in committee, of who would pay for the third school board. Having gone through an election where the second issue in my riding was school board taxes, school board levies which show up in property tax, the people were very much fed up with rising property and school board taxes.

I again ask the minister, under section 5 of today's bill, who is paying for child care facilities in existing schools should parents and the local communities demand them? The minister, through this bill, has held out the expectation because she is going to put child care facilities in new schools.

In my riding, if you build a new school and put child care facilities in it, other parents are going to want similar facilities in existing schools. If they demand that, I want to know whether Queen's Park is going to send the cheque; or is Queen's Park just raising the expectation and going to get all the heat for rising school board taxes that could result from having to place child care facilities in existing schools? Who is paying for this?

Hon Mrs Boyd: I have indicated to the member before that this is to permit school boards to raise taxes to construct and renovate child care facilities if they so choose. If that is the demand of the constituents, then that is a decision they make. By demanding them, those constituents of course are going to indicate their willingness to pay for them.

I am not suggesting to the member that we think this is the appropriate or best way to do this. We have indicated we will be looking at the whole issue of child care and the funding of capital and operating costs for child care in the province. What we are doing is providing this as a permissive measure for those boards that have requested it, so they can go ahead with the plans they regard as being necessary to the wellbeing of their constituents.

Mr J. Wilson: On that point, the minister has indicated to the House today that it is the Metropolitan Toronto School Board that would like to go ahead and put in the child care facilities. Would she not consider exempting all other boards until she has consulted with the public and with those boards in Simcoe county, for example?

Hon Mrs Boyd: "Permissive" means that the board will have the legislative authority to do this but does not have to do this. They are not required to do it. Boards are able to accede or not to demands of their constituents in many other issues, as they would have to in this.

Given the hour, I move that the committee rise and report progress.

On motion by Mrs Boyd, the committee reported progress.

1800

PLANNING STATUTE LAW AMENDMENT ACT, 1990

Hon Mrs Coppen: I request unanimous consent to move a motion with respect to rescinding third reading of Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act.

Agreed to.

Mrs Coppen moved that third reading of Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act be rescinded.

Motion agreed to.

ROYAL ASSENT
SANCTION ROYALE

Hon Mr Alexander: Pray be seated.

The Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present meetings thereof, passed certain bills to which, in the name and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Clerk Assistant and Clerk of Journals: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders;

Projet de loi 17, Loi portant modification des lois relatives à l'exécution d'ordonnances alimentaires et de garde d'enfants ;

Bill 40, An Act to amend the Mortgages Act;

Bill Pr3, An Act to revive Lauramar Holdings Limited;

Bill Pr24, An Act respecting the Town of Oakville;

Bill Pr37, An Act respecting Eastern Pentecostal Bible College;

Bill Pr54, An Act respecting the City of North York.

Clerk of the House: In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, Son Honneur le lieutenant-gouverneur sanctionne ces projets de loi.

The Speaker: May it please Your Honour, we Her Majesty's most dutiful and faithful subjects of the Legislative Assembly of the province of Ontario in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government, and humbly beg to present for Your Honour's acceptance, a bill entitled An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending 31 March 1991.

Clerk of the House: His Honour, the Lieutenant Governor, doth thank Her Majesty's dutiful and loyal subjects, accept their benevolence and assent to this bill in Her Majesty's name.

Son Honneur le lieutenant-gouverneur remercie les bons et loyaux sujets de Sa Majesté, accepte leur bienveillance et sanctionne ce projet de loi au nom de Sa Majesté.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

BUSINESS OF THE HOUSE

Hon Mrs Coppen: I would like to advise the House of the business for the week of 17 June 1991.

Monday 17 June: Motion to extend sittings; second reading of Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act.

Tuesday 18 June: Liberal motion of non-confidence.

Wednesday 19 June: Second reading of Bill 70, An Act to amend the Employment Standards Act to provide for an Employee Wage Protection Program; second reading of Bill 36, An Act to amend certain Acts respecting Assessment; second reading of Bill 79, An Act to amend the Gasoline Tax Act; second reading of Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act.

Thursday 20 June: Government business: Second reading of Bill 108, the Substitute Decisions Act, 1991; second reading of Bill 109, Consent to Treatment Act, 1991; second reading of Bill 110, Consent and Capacity Statute Law Amendment Act, 1991; second reading of Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act;

Private members' public business: Ballot item 27, a resolution respecting government expenditures, standing in the name of Mr Stockwell; ballot item 28, second reading of Bill 116, An Act to amend the Employment Standards

Act with respect to Notice of Termination, standing in the name of Mr Dadamo.

The House adjourned at 1810.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Bel, Donald	Wentworth North	NDP	
Kande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Vice-Chair, standing committee on Ontario in Confederation
Bradley, James J.	St Catharines	Lib	Minister of Education
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
Elston, Murray J.	Bruce	Lib	Co-Chair, special committee on the parliamentary precinct
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	House leader
Fawcett, Joan M.	Northumberland	Lib	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Ferguson, Will	Kitchener	NDP	
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Jamison, Norman	Norfolk	NDP	Chair, standing committee on estimates
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Jordan, Leo	Lanark-Renfrew	PC	Parliamentary assistant to the Chair of the Management Board of Cabinet
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathyssen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
ffer, Steven	Mississauga North	Lib	
Neil, Hugh P.	Quinte	Lib	
Neill, Yvonne	Ottawa-Rideau	Lib	
wens, Stephen	Scarborough Centre	NDP	
erruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
hilip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
hillips, Gerry	Scarborough-Agincourt	Lib	
ilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
pirier, Jean	Prescott and Russell	Lib	
bole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
ouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
ae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
amsay, David	Timiskaming	Lib	
izzo, Tony	Oakwood	Ind	
unciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
uprecht, Tony	Parkdale	Lib	
cott, Ian G.	St George-St David	Lib	
ilipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
ola, John	Mississauga East	Lib	
orbara, Gregory S.	York Centre	Lib	
terling, Norman W.	Carleton	PC	
tockwell, Chris	Etobicoke West	PC	
ullivan, Barbara	Halton Centre	Lib	
utherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
warbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
ilson, David	Dufferin-Peel	PC	
urnbull, David	York Mills	PC	
illeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Varner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Clerk: Douglas Arnott

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Chair: Elinor Caplan

Vice-Chair: Joseph Cordiano

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Ontario in Confederation

Chair: Tony Silipo

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Members: Alvin Curling, Ernie Eves, Evelyn Gigantes, Charles Harnick, Margaret Harrington, Gary Malkowski, Irene Mathysen, Steven Offer, Yvonne O'Neill, David Winninger
Clerk: Harold Brown

SPECIAL COMMITTEE

Parliamentary Precinct

Co-Chair: David Warner

Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland

Clerk: Smirle Forsyth

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First Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 17 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 17 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 17 June 1991

The House met at 1330.

Prayers.

MEMBERS' EXPENDITURES

The Speaker: I beg to inform the House I have today laid upon the table the individual members' expenditures for the fiscal year 1990-91. The members will find a copy placed in their desks in the chamber.

REPORT, CONFLICT OF INTEREST COMMISSION

The Speaker: I also beg to inform the House I have today laid upon the table the second annual report of the Commission on Conflict of Interest for the period 1 January 1991 to 31 March 1991.

MEMBERS' STATEMENTS

PROTECTION OF IN-CARE RESIDENTS

Mrs McLeod: In January 1991, the Minister of Community and Social Services accepted a report of a review of safeguards in children's residential programs undertaken by Joanne Campbell. The report recommended actions to enhance the wellbeing of young people in residential facilities licensed by her ministry and the Ministry of Correctional Services. This report was commissioned by the Liberal government as a partial response to allegations of abuse made by former residents of St Joseph's and St John's training schools.

This weekend, new allegations were made by former residents of Grandview Training School for Girls in Cambridge. Women now in their mid-30s say that as residents of Grandview in the mid-1970s they were victims of physical and sexual abuse and assault by guards at the facility.

We are all concerned to determine the best way to prevent incidents such as this from occurring, but there are clearly some steps that this government must immediately take to improve the safety and security of young people in residential facilities. Joanne Campbell has provided us with a blueprint; it is now the responsibility of this government to implement her recommendations.

The Minister of Community and Social Services, in her response to the Campbell report, had one major omission: failed to address the split jurisdiction over young offenders between the ministries of Community and Social Services and Correctional Services. Recommendation 29 of the Campbell report, that the split jurisdiction be reviewed with a view to consolidating responsibility under one ministry, should be acted on immediately.

CANADIAN LIVER FOUNDATION

Mr B. Murdoch: I would like to advise members that I have three visitors today in the gallery. I would like the members of the House to welcome Rachel Whittaker, Alexandra Eadie and Michael Riewald, who were good enough to pay the Canadian Liver Foundation for my services as luncheon host and tour guide.

On 21 May the foundation had an auction to raise money for research and education into all diseases of the liver. I was proud to participate as this organization means a great deal to the two million, or 1 in 12 Canadians, who suffer from some sort of liver or liver-related disease. The foundation, which was established in 1969, donates grants for research, training and scholarship. As well it has set up education programs to inform the public and to encourage prevention of liver diseases. It holds workshops to bring together experts to promote the development of higher levels of applied research and patient care. It also helps fund the liver pathology research centre, located at the Toronto General Hospital, which assists with the diagnosis of liver biopsies and the study of liver pathology.

I was honoured to be asked to assist this worthy cause. I have thoroughly enjoyed myself while helping those in need and I would encourage other members to do the same.

CONFLICT OF INTEREST

Mr Ferguson: I want to applaud the Premier's decision to keep the Minister without Portfolio responsible for women's issues and the Minister of Northern Development in the Ontario cabinet. Accepting their resignations will not serve any useful purpose.

The two ministers admit they broke the Premier's conflict-of-interest guidelines, but that is not the only issue here. Violence against women and children is everywhere. For years victims have gone unheard. People suffered silently and the abuse continued. For years activists like the minister responsible for women's issues and the Minister of Northern Development have fought to give these people a voice and today they are speaking out against this injustice.

Clearly errors of judgement were made by the ministers but they acted from a deeply-felt concern for the welfare of women and children. They did not act for personal gain or profit and they were willing to resign for their actions. Their errors did not warrant the loss of job. The Premier's decision is the right decision.

In opposition this party fought for pay equity, more women's shelters and better programs to combat sexual assault. As a government, these two individuals have defended women's interests and are giving real substance to these goals. The record number of women in our cabinet also demonstrates the commitment of the NDP to equality for women in Ontario. Ontario cannot afford to lose the dedication or the energy or the compassion of the minister responsible for women's issues or the Minister of Northern Development.

UNEMPLOYMENT

Mr Offer: I would like to comment on the continuing failure of the NDP government to tackle the issue of job loss in Ontario. On Friday, Stillmeadow Farms chicken processing plants closed in Elora, throwing another 150 people out of work and into this recession.

The latest Statistics Canada report indicates that while Canada is starting to pull out of the recession, Ontario is being left behind. Across Canada there were 31,000 fewer jobless in May while in Ontario there were 12,000 more in the first month after the NDP budget. The NDP attempt to spend its way out of the recession with a \$10-billion deficit has backfired and in fact Ontario is spending its way back into a recession.

What is the Premier's answer to the loss of jobs that is devastating the province? More punitive ill-conceived policies and an attitude which best displayed itself in an interview with Emilia Casella of the Hamilton Spectator. The Premier was asked, "Are you optimistic you can bring some of those jobs back?" The Premier replied, "The question there really is, what more can we do to give a sense of pride and a sense of patriotism to industry?"

Jobs are leaving the province because of the NDP policies of heavy debt, heavy taxes and heavy-handedness. But the Premier seems to think it is because industry is not patriotic enough. How many jobs does the Premier plan on creating with this new sense of pride and patriotism? Or is the question, how many more jobs can the province afford to lose as a result of the Premier's policies?

MISS VICKIE'S POTATO CHIPS

Mr J. Wilson: I rise to inform the House of yet more steps the NDP government is taking to drive jobs out of the province. Last week, this government refused Miss Vickie's potato chips the right to buy Ontario potatoes. Miss Vickie's is a popular Ontario company that has become so successful that it has plants in Quebec and British Columbia. In my riding of Simcoe West, Miss Vickie's employs some 100 people and uses over six million pounds of potatoes annually.

The NDP government now says that Miss Vickie's will no longer buy Ontario potatoes but must import from Florida and the Carolinas. Ironically, Vickie's plant in Quebec can purchase all the Ontario potatoes it wants, but here in NDP Ontario Vickie Kerr is breaking the law if she buys potatoes grown by her own husband.

Bureaucracy and red tape have reached unbelievable levels here in Ontario. The previous government and now the NDP have created rules that can only be met by multinational processors. Smaller processors such as Miss Vickie's and Randy Guzar in Hamilton are being forced out of business by this government's policies.

As a resident of Ontario, Vickie Kerr wants to buy Ontario potatoes whenever possible. An inflexible government bureaucracy will not let her. One hundred jobs and a successful business in Simcoe county are at stake. It is time for the government to take some overdue steps to allow Miss Vickie's to buy Ontario.

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PELHAM HISTORICAL SOCIETY

Mr Hansen: I would like to inform the House that the Pelham Historical Society Resource Centre in Lincoln riding, located at 495 Canboro Road in Fenwick, is open to the public this summer, weekdays from 1 to 4 pm.

Members of the public are encouraged to take advantage of this valuable source of local history. Materials include

municipal records, maps, photographs and artefacts. Many people enjoy using the fairly extensive geographical file in order to trace the history of their ancestors in Pelham. The society also invites the public to come in and see its exhibit of a working telephone switchboard from 1900.

The society has acquired letters written by Henry Giles who came to Fonthill in 1840. One letter even suggests that it was Giles himself who proposed the name Fonthill. Thanks to the generous donation of Leo Giles, these letters will be published by the society and visitors to the resource centre will be able to get an accurate account of what it would be like to live in Pelham in the early 1900s.

In addition to the resource centre, I would suggest that visitors take the opportunity to visit our local wineries which are second to none in the world. There are many attractions in the area, including the Jordan Historical Museum, which offers the opportunity to step back into the past and experience a bit of history. The many attractions, coupled with the natural beauty of the Niagara Escarpment, provide for a wonderful experience in our area of Lincoln.

TOURISM INDUSTRY

Mr H. O'Neil: The warm weather is now upon us as we enter the beginning of Ontario's busiest tourist season. This should be a prosperous time for our tourist operators who look forward to receiving visitors from all over the world who come to see what Ontario has to offer in the way of its vast park system, clean lakes and rivers and our cosmopolitan cities and small towns.

Tourist operators in Ontario, however, are suffering from a government that seems determined to put them out of business. This year's NDP budget only brought tax hikes on alcohol, gasoline, cigarettes and small businesses. These tax hikes only serve to reduce the competitiveness of our tourist operators. The budget did not address the concerns of our border communities whose hotels, restaurants and retailers are losing business at an unprecedented rate to the United States.

The new Sunday shopping legislation has also added another level of bureaucracy and cumbersome criteria that tourist operators have to meet in order to be able to open on Sundays. Last week, during the budget hearings that we held around the province, I was told by one of the large tourist operators that his business from the United States has dropped from approximately 47% down to 3%.

There is still time for the Minister of Tourism and Recreation to get after the Premier and the Treasurer and to jump-start that tourism business and bring some of these people in from the United States to a business that needs help.

SEXUAL ABUSE

Mr Eves: A number of weeks ago I made a statement in the Legislature commending the College of Physicians and Surgeons of Ontario for unanimously endorsing the recommendations of the task force report which proclaimed an absolute intolerance for sexual abuse of patients by doctors.

Most important was the recommendation that stated the college adopt the philosophy of zero tolerance of sexual abuse by doctors and then change many college procedures and policies to be more effective and sensitive to such abuse. I have also previously stated that the recommendation that changes in the legal and legislative systems to correct the bias against sexual abuse victims be adopted.

This afternoon I will be introducing a private member's bill that will address this very issue. As the college recommended in its report, I am today introducing amendments to the Health Disciplines Act to provide that where a member is guilty of professional misconduct constituting sexual abuse, the act be changed to empower the discipline committee to (a) revoke the licence of the member and withdraw any recognition of specialist status; (b) prohibit reapplication for a licence, and (c) impose a fine.

I think it is about time we moved in this very important area.

MARION McGEE

Mr Fletcher: Today I would like to recognize Marion McGee, one of my Guelph constituents. Marion has won the International Single Parent of the Year award. This award is given by the organization Parents Without Partners. It recognizes individuals like Marion who have excelled in their involvement with their families, communities and professional life.

Marion, who is seated in the members' gallery, was chosen for this honour from parents across Canada and the United States. She has long been recognized in Guelph for her activities. She has raised two children, taught elementary school for 23 years and has worked tirelessly for a number of organizations. She is past-president of the Wellington County Women Teacher's Association and she has also served on a number of committees and boards, including the University of Guelph Alumni Association and Harcourt Memorial United Church.

I first met Marion on the opposite side of a bargaining table. After serving as a negotiator for my own union and as a labour council president, I found myself sitting as a school board trustee and negotiating against Marion, who was representing her fellow teachers. I learned to admire her fair and evenhanded approach to things and we became friends. In fact, I thank Marion, who is a member of my provincial riding association, for nominating me to run in the last election.

Marion has many friends and colleagues who know her to be a dedicated and also warm and caring person who is always ready to do more than her fair share and who rarely has a negative word to say. Marion has finished a year's probation and she becomes a teacher again in September at Brant Avenue Public School.

I extend congratulations to Marion for the recognition she has won. It is well deserved and long overdue.

STATEMENTS BY THE MINISTRY

EMPLOYMENT EQUITY

ÉQUITÉ D'EMPLOI

Hon Ms Lankin: This government is committed to full equality in the workplace. We are also committed to making the Ontario public service a model workplace, one where there is fairness, access and full participation for all employees.

Yet today there are groups of people in this province who are under-represented in the OPS as a whole and within certain job categories as a result of barriers in recruitment, training and promotion. These groups are aboriginal people, francophones, persons with disabilities, racial minorities and women.

We have listened to the concerns of these groups. Their criticisms are borne out by the results of the employment equity program to date. Aboriginal peoples and persons with disabilities are seriously under-represented in the ranks of the OPS; francophones still encounter workplace discrimination; racial minorities are still scarce in executive ranks, while women remain clustered in lower paying occupations.

These people have made little headway in the OPS despite the fact that an employment equity program has been in place since 1987. This is because several key components and the funding necessary to achieve employment equity were missing.

We will dedicate \$10.9 million this year to accelerate the employment equity program for the Ontario public service. This will allow us to (1) supply resources and support mechanisms to ministries to ensure policies are implemented; (2) introduce accountability measures for achieving results, and (3) receive direct input from those most affected, both inside the OPS and outside it.

As part of this activity two major programs will be announced in detail later this year. Workplace discrimination and harassment prevention, as well as accommodation in employment for persons with disabilities are important vehicles for securing barrier-free working environments.

To identify barriers to employment equity and reform hiring and promotion practices, each ministry will be required to involve its employees in a review of its employment systems.

Guidelines are being drawn up that will clarify when direct intervention in hiring and promotion is necessary.

Nous serons ainsi en mesure d'atteindre les objectifs de l'équité d'emploi. Ceci est particulièrement important pour nous permettre de réaliser des changements importants au niveau des cadres supérieurs de la fonction publique de l'Ontario.

Nous aiderons les chefs de service et le personnel de la fonction publique à promouvoir et à réaliser l'équité d'emploi en élargissant les programmes de sensibilisation et de formation dans ce domaine. La formation sera de nature pratique et particulière, et elle visera principalement à modifier les pratiques qui auront été identifiées dans le cadre de l'examen des politiques d'embauche.

1350

In addition, to ensure the success of these measures, we are clearly defining management and ministry accountability. Employment equity principles will be built into all management decisions, and managers will be responsible for achieving employment equity results. We will openly report all the results.

In the summer of 1992 we will issue the first public report on the Ontario public service employment equity program. It will document the progress of the program, both centrally and by ministry. The public will be able to monitor and measure our success.

To get the job done, we need the help and knowledge of many others. Work has been done with the Ontario Public Service Employees Union and OPS employees from the designated groups. We are making a commitment to strengthen these ties and are forging partnerships that will provide us with the insight and feedback we need to make the program successful. These partnerships will include external community organizations representing the interests of the designated groups.

The OPS, as an employer of 90,000, has an obligation to lead the way in employment equity policies and programs. The government intends employment equity to extend to the private sector. As members know, my colleague the Minister of Citizenship will be bringing forward—after consultation—legislation for all sectors in the province.

Our experience and expertise will serve as a role model and resource for other employers. For example, we can share the outreach recruitment directory, employee tracking systems and processes for undertaking employment systems reviews.

We believe employment equity is not just a matter of social justice, but one of good business. If Ontario is to remain competitive, it cannot afford to exclude or underutilize segments of its labour force.

By embracing these measures, the government of Ontario is investing in this province's greatest resource, its people.

SKILLS TRAINING

Hon Mrs Boyd: I am pleased to announce details about funding of \$10.5 million for programs to assist laid-off workers to upgrade their basic skills. This funding is part of the \$25 million that was previously announced by my colleague the Minister of Labour and is in addition to the Ontario basic skills funds announced last week.

It is important to look beyond recessionary times. We must be creative in helping workers to plan for new jobs. We must foster a society in which economic change signals new opportunities for people and their communities.

This funding is intended to enhance existing ministry programs in providing services to workers in areas where there have been plant closures and layoffs. There are four program areas which will receive additional funding to assist laid-off workers.

First, \$4.4 million will be provided to adult basic education programs. These programs improve workers' chances of finding jobs or preparing for further education

or skills training by providing basic skills training through local school boards.

Second, literacy and basic skills training programs will receive \$4.8 million. This training is provided by colleges of applied arts and technology and local community groups. Training assists workers to upgrade communication, reading, writing, basic numeracy, science and basic computer skills.

Third, counselling and vocational assessment services will receive \$1 million. These services are available for the 15-to-24-year-old age group through the youth employment counselling centres.

Fourth, the independent learning centre will receive \$0.3 million. The centre offers distance education courses for adults who want to upgrade their basic skills and/or to complete high school.

Workers will receive information about these programs through their local labour adjustment committees. Labour adjustment committees have been set up in firms faced with layoff or closure. These committees consist of representatives from labour, management and government. They are responsible for ensuring that laid-off workers receive the vocational counselling and access to academic upgrading they need to help them find new jobs.

Our goal is to ensure that the people of the province have the education and training necessary to maintain their standard and quality of life. I am pleased to be a part of the government's comprehensive plan to assist laid-off workers.

ELLIOT LAKE ASSISTANCE

PROGRAMME D'AIDE POUR LA REGION D'ELLIOT LAKE

Hon Miss Martel: For some time I have told this House that Ontario Hydro has a clear obligation to Elliot Lake and the communities of the North Shore. After consultation with the provincial government, Hydro has delivered on its promise.

This morning my colleague the Minister of Natural Resources responsible for native affairs; Marjorie Eliesen, chair of Ontario Hydro, and myself were in Elliot Lake. I am pleased to say that we were joined by the member for Algoma-Manitoulin and the federal member of Parliament for Algoma. On behalf of the government I announced a comprehensive adjustment and diversification package for Elliot Lake and area communities.

For years the Elliot Lake area has been dependent on a single resource—uranium—and that dependence has led to the kind of economic instability which is all too common in northern Ontario. During the last number of months in particular, residents of Elliot Lake and the North Shore have experienced even more uncertainty regarding their future while negotiations with Denison, Rio Algom and Hydro were under way.

Le gouvernement est parfaitement conscient des difficultés qu'ont causées ces mois d'incertitude. Malheureusement, nous avons dû attendre la fin des négociations confidentielles entre Ontario Hydro et les compagnies d'exploitation d'uranium pour établir les détails de notre programme d'aide.

En tant que dernier acheteur de l'uranium extrait des mines d'Elliot Lake, et compte tenu de son rôle important dans la croissance et le développement économique des collectivités minières de la région, Ontario Hydro doit assumer les responsabilités qui lui sont propres à l'égard des collectivités de la rive nord. Hydro aidera cette région à s'adapter aux nouveaux liens contractuels qui existent entre elle et les compagnies minières de l'endroit, Denison Mines et Rio Algom Ltd.

I have said in this House before, and I would like to repeat it again, that a renewal of the Elliot Lake uranium contracts would force Ontario Hydro to pay a premium of about \$1.4 billion over the next decade. That is the equivalent of a subsidy of about \$113,000 per year for every mining job. The province felt that this expenditure could not continue.

Therefore, in consultation with the provincial government, Ontario Hydro is winding down its extremely expensive Elliot Lake contracts. This was a tough decision, but one which makes good sense for the province's electricity ratepayers. It also makes good sense for the long-term viability of North Shore communities. Hydro will help fund their transition from a precarious dependence on uranium to a more diverse and dynamic economy.

I am pleased to announce the creation of a \$250-million adjustment and diversification package targeted to that goal.

Le programme économique que nous avons présenté ce matin à Elliot Lake est le fruit de la collaboration des ministères du Développement du Nord et des Mines, de l'Énergie et des Richesses naturelles et d'Ontario Hydro en consultation avec les collectivités de la rive nord, dont Elliot Lake, Blind River, la première nation Serpent River ainsi que les cantons de Shedden et de North Shore.

In order to meet community needs for short-term adjustment and long-term diversification, Ontario Hydro will contribute \$65 million to the Northern Ontario Heritage Fund Corp. This money will be held in trust for North Shore communities. The heritage fund, of which I am chair, will oversee the allocation of these funds.

I would like to point out that a portion of this funding has already been allocated; \$9.6 million will be set aside for short-term job creation. These jobs are directed at miners laid off last fall.

Another \$8 million to \$10 million will be used to reduce the municipal debts of Elliot Lake and Blind River. This will give these communities the fiscal stability they need to take advantage of future development opportunities.

After consultation with regional representatives, the remaining funds have been directed to a number of important initiatives which include (1) a major business development fund to help stabilize and expand local businesses and attract new ones; (2) support for essential community services and social programs, and (3) assistance to offset municipal costs that may arise as communities make the transition away from uranium dependence.

Les collectivités de la rive nord nous ont indiqué clairement qu'elles avaient besoin de temps pour s'adapter à tous ces changements. Elles ont besoin d'emplois sûrs

dans le secteur minier pendant qu'elles diversifient leur économie et créent de nouveaux emplois.

We have listened to the communities and responded. Ontario Hydro will continue to purchase uranium from Rio Algom until 1996. The revised contract with Rio Algom, finished just last week, will create approximately 75 new jobs. That means there will be up to nearly 600 mining jobs at the Stanleigh mine for almost six years. This will give the North Shore the breathing space that it requires to diversify. This new agreement will cost Ontario Hydro an estimated \$160 million in premiums over and above current market prices.

1400

Our provincial utility has also earmarked \$25 million for a number of energy initiatives in Elliot Lake and area. These include a local energy efficiency program, developing co-generation potential and accelerating consultation and environmental planning with a view to development of hydraulic potential in the Patten Post area on the Mississagi River. After consultation with the province, Hydro has also agreed to accelerate its discussions with first nations and other local groups about the planning process that could lead to this development in the Patten Post area. The development of hydraulic potential in this area could involve \$300 million or more in additional economic activity in the region. Ideally, construction could begin in 1994 pending completion, review and approval of an environmental assessment.

Discussions with affected aboriginal communities will be carried out within the political framework of the government's new statement of political relationship with the first nations.

Avant que ne soit décidée la réalisation de ce projet, Ontario, Hydro et le gouvernement se sont engagés à prendre l'avis des autochtones concernés. Toutes les questions seront analysées et résolues à la lumière des retombées éventuelles de ce projet.

J'aimerais aborder brièvement le processus de consultation qui nous a permis d'offrir l'ensemble de mesures d'aide auquel je faisais allusion plus tôt. Au début d'avril, le groupe de travail d'Elliot Lake et des environs a été créé. Ce comité est formé de représentants des collectivités locales concernées, des premières nations, des Métallurgistes unis d'Amérique, du Conseil du travail, du monde de l'enseignement, du monde des affaires et du gouvernement.

Within six weeks, the working group put together a thoughtful and impressive submission of proposals and priorities. This was used as a guide for the package I have described. The Elliot Lake and Area Working Group will continue to play a significant role in the implementation of the adjustment and diversification package.

I have touched on the efforts of the provincial government and Hydro to assist the North Shore communities at this crucial point. But the provincial government, Hydro and the working group cannot do it alone. We need the co-operation of the federal government if these communities are to have access to all the support programs they require.

Therefore, I have written a letter to the Honourable Tom Hockin, Minister of State (Small Businesses and

Tourism) and the federal minister responsible for northern Ontario and a letter to the Honourable Jake Epp, Minister of Energy, Mines and Resources. I have stated that Ottawa has an obligation to participate as a full and active partner as North Shore communities strive to diversify their economies and take advantage of opportunities now before them.

In particular, this government will be pressing the federal government to accelerate the process of proper mine decommissioning at Elliot Lake. This will meet the goals of environmental protection while preserving jobs for local workers. The Atomic Energy Control Board of Canada is responsible for ensuring timely and effective decommissioning at those uranium mines which have closed. The AECB must also ensure that the mining companies have provided financial guarantees where required to cover the cost of mine decommissioning at Elliot Lake.

I would like to say a word about the miners of Elliot Lake and their union, the United Steelworkers of America. They have borne the brunt of job losses in the mines and have had to deal with uncertainty for far too long. They are showing great resilience as they work with their North Shore neighbours to build a viable community for their future.

J'espère que l'initiative que nous prenons aujourd'hui contribuera à transformer les collectivités de la rive nord en des collectivités fortes, saines et dynamiques. Nous continuerons de collaborer avec elles afin d'assurer leur prospérité et le maintien de leur croissance.

RESPONSES

ELLIOT LAKE ASSISTANCE

Mr Brown: I am responding to the statement by the Minister of Northern Development in my capacity as her critic and also as the member for the constituency of Algoma-Manitoulin representing Elliot Lake and the North Shore. The first thing I am compelled to point out is that this is not the minister's promise. She promised quite clearly on a number of occasions that she would purchase 100% of Ontario Hydro's requirement from Elliot Lake, and this is not it. Therefore we are not very happy.

Second, I am compelled to point out that the minister came to Elliot Lake and announced the last 700 miners are being laid off, and that is what this is about.

Third, the minister or Hydro has decided—and I am surprised the Minister of Energy did not make this announcement, because it is all Hydro's money—Ontario Hydro is providing \$250 million for this. We are happy about that, but we are not happy that the government seems to think the crown corporation can carry the load for all of what is going on in Elliot Lake. I think we know the provincial governments were involved in the decisions taken in Elliot Lake over time and that the provincial government is responsible for what is going on. We are looking forward to the creation of some new permanent jobs. There is not one word in here about new permanent jobs.

Fourth, we are concerned about public policy. We are concerned about how the minister decides which Hydro projects are taken out. Which ones come out? As the minister knows, there are a number of Hydro projects in the

25-year plan along the North Shore and she has chosen one. We are interested to know how the minister chose that one and why not some of the other ones. Those are questions we will be pursuing because we think there is far more opportunity for employment along the North Shore than the minister has given us.

SKILLS TRAINING

Mrs McLeod: We can appreciate the programs that have been announced today by the Minister of Education and the kinds of benefits that those programs will bring to laid-off workers, but we continue to be concerned about the fact that we see piecemeal announcements coming from the government about this very critical issue.

We are continuing to look for what we would expect to be a comprehensive and integrated plan to respond to the needs of laid-off workers, the kind of plan that would see a co-ordination of the efforts across a number of ministries and that would also bring about an integration of the resources that are available in communities to provide the kinds of programs that are needed.

We also continue to express our hope that this government is going to begin to anticipate the need for labour market adjustment programs before the crisis of layoff actually occurs. As well, we address the fact that this is \$9 million in training programs for laid-off workers of the total \$25-million labour market adjustment originally announced by the Minister of Labour. We questioned at the time how much of that money would actually be going to direct programs and services for laid-off workers. We think a very large amount of that money has gone to create bureaucracies and set up new committees without there being direct programs of immediate benefit to laid-off workers.

Finally, we express a concern that following an announcement in January, we have waited a further six months for the announcement of some of the specific programs that would be put in place. We feel that is a very long time for laid-off workers in a crisis situation to have to wait for the programs to actually be provided.

EMPLOYMENT EQUITY

Mr Elston: I rise to reply to the statement by the Chairman of Management Board. Although the announcement was made today, one may very well take notice of the words that were used. It says, "Each ministry will be required"...there will be a "review" of "employment systems...guidelines are being drawn up...employment equity principles will be built into all management...managers will be responsible...we will openly report."

All of these things are so much in the future that it lets one believe they were rushed to make an announcement today. Although they put a number beside the money being allocated to it, it has not really provided us with the material we need to understand how they are going to put these things together. These people have tried to tell us they are going to be developing new guidelines, and every time this government talks about developing guidelines and clarifications we over here shudder.

SKILLS TRAINING

Mrs Cunningham: I am responding to the statement from the Minister of Education. I will start by saying that when I saw this statement, I thought it was the same one that was given last week. In looking at it, though, if one really reads it carefully, one will find that there are other programs, all of which we support and expect to happen. I have to say it is pretty hard to keep up with this government. There is a very scattered approach delivering these kinds of programs.

I take this opportunity to say that I had hoped today we would finally have an announcement on skills and apprenticeship training. We are looking for a change in ratios and a change in wages for apprenticeships, and we are looking for a co-ordination with the school system.

Young people in this gallery right now would love to work with their hands. They would love to have opportunities to do more technical education programs. They would love to know they are being trained for a job for tomorrow and today as well. They would love to know there are jobs out there for them at all.

All I can say is I am looking for the big announcements. I have been sitting around here for almost a year right now and nothing has changed.

EMPLOYMENT EQUITY

Mr Tilson: I would like to respond to the statement made by the Chairman of Management Board. It is certainly admirable to try to remedy the discrimination and harassment against minority groups and others in the government, but I hope this is not the start of the quota system we have been hearing so much about that is coming from the government.

We should not be trying to take away the initiative to do better, make a profit or improve or to take away excellence. These are the values our province is built on. The province should not be developing hiring policies based on the quota system, which is what I believe this government is moving towards.

To qualify for a committee or anything else this government sets forward, it depends on what minority one is a member of. The women are asked to become judges not because of their excellence in law, but because they are women.

Interjections.

The Speaker: Order.

Mr Tilson: The whole issue of excellence is out the window. Policies are now in existence where it does not matter whether one is qualified, but whether one is of a particular minority group. There are even situations where women are discriminated against, and that is in this government. The Minister of Correctional Services is a specific example.

These policies are doing away with excellence and are insulting to the minority groups of this province. We hope this province stays away from discrimination and develops policies opposing discrimination and harassment, but we hope it hires those people who are the best qualified.

ELLIOT LAKE ASSISTANCE

Mr Eves: Just briefly in response to the statement the Minister of Northern Development made today about Elliot Lake and other communities on the North Shore, it would appear that Ontario Hydro's mandate is changing daily in this Legislature. Ontario Hydro is now going to do what the government should be doing with respect to solving social problems in northern Ontario. I have a couple of questions about where the money is coming from. Are we increasing the rate base of Ontario Hydro across the province? If so, by how much and over how many years?

I find it strange that the Minister of Energy in the same government is considering a moratorium on nuclear energy, and yet the Minister of Northern Development is standing up to call for a continued purchase of uranium at the same time. Does anybody know what they are doing over there? Do they talk to each other? Do they have any game plan as to what they are supposed to be doing?

I also note that Ontario Hydro's commitment to the northern Ontario heritage fund now appears to be somewhat larger than that of the government itself. It is larger than the Ministry of Northern Development's commitment to the northern heritage fund. I find that somewhat passing strange, to say the least.

I do not know why the government just does not accept its responsibilities and get on with governing the province instead of finding ways after the fact, scurrying around and, in this case, having an Ontario crown agency trying to do the work the government of Ontario and the Ministry of Northern Development should be doing themselves.

VISITOR

The Speaker: Before continuing, I invite all members to welcome to our chamber this afternoon Mavis Wilson, the former member for Dufferin-Peel.

ORAL QUESTIONS

CONFLICT OF INTEREST

Mr Nixon: With the examples of political leadership from last Thursday still dazzling the House and the people of the province, I would like to point out to the Premier the undoubted fact that the responsibility for the oversight of his cabinet colleagues still lies totally with himself. Can he point out to the House what response he has entered into, not just on the basis of the resignation of the two ministers that he rejected last Thursday, but with the realization that eight specific ministers in the last six months have stepped over the bounds and guidelines of the conflicts of interest he himself has established? What is he going to do specifically to see that this situation, which must be embarrassing to him and must undermine the confidence in which his government is held, is stopped?

Hon Mr Rae: Ultimately the people will decide the confidence they have in our government, but it seems to me worth our reflecting for a moment on one simple fact, and it is brought home by the exchange we had last Thursday, in terms of the particular civility of that exchange.

I want to just emphasize again with respect to the two ministers the Leader of the Opposition referred to, whose resignations I, on reflection, decided not to accept, that

there was no allegation of any kind of any personal benefit or gain by them. There was no allegation with respect to any advancing of any private interest by them. All they were trying to do was to put forward and to protect the public interest. That is the essence of what took place in that situation.

I would say to the Leader of the Opposition, when he says, what is it that I now propose to do, I have made it very clear what I propose to do; it is what has been there for some time. I have asked the standing committee to give us its advice with respect to changes in the Members' Conflict of Interest Act and I look forward to receiving that advice.

Mr Nixon: The Premier, as usual, is answering a question which was not asked. He has attempted to justify the actions taken by his two ministers, in spite of the fact that his original decision was to accept at least one of the resignations. I suggest there is no question that the guidelines were broken.

In attempting to assist both these ministers and others who may be tempted to follow their example, is he undertaking to give them some special instruction; is he, on the other hand, informing the deputy ministers he expects them to advise the ministers on any possibility that they may see fit to contact any judicial or quasi-judicial body; and can he assure the House that these ministers were not so advised by any of their officials or anyone in the Cabinet Office before they took the action which resulted in their resignations?

Hon Mr Rae: I think it is appropriate for the Leader of the Opposition to know that the two members in question have taken responsibility for what has taken place and I, as well, have taken responsibility for exercising judgement, which I may say I exercised after being asked to do so by the Leader of the Opposition in the exchange that took place last week.

The purpose of any guidelines or of any law in this area is to protect the public. I am satisfied that what motivated the ministers entirely in this instance was the protection of the public interest with respect to a particular situation in North Bay.

Mr Nixon: I just want to reiterate for the benefit of the Premier, who does not seem to listen to the question, that there is no question that the guidelines were broken or transgressed. This is the eighth instance that it has happened in six months. The original question was, what is he going to do about it, and he fails to answer that in his attempt to shift the blame to me for what is apparently his own inability to make an appropriate decision, which is precisely what he just did.

I would like to ask the Premier why he and his colleagues, I would say, including the present government House leader, were so positive when they were in opposition what the appropriate actions were for cabinet ministers, when now that they have the responsibility, they are unsure: so unsure that the Premier cannot educate his colleagues as to what their responsibilities are; so unsure that he fails to instruct the deputy ministers or, according to his answer, the political advisers to these ministers that they

cannot assist them. What is the answer, other than for the Premier to bluster after his cabinet ministers have been shown and seen to break the guidelines which he himself established with so much fanfare and pride?

Hon Mr Rae: First of all, let me make it clear that although the Leader of the Opposition may have found my answer blustery and he may have thought I was trying to somehow ascribe responsibility to him, that is not at all true. First of all, let me make it very clear that I take full responsibility as first minister for my decision on Thursday, after being asked to reconsider by the Leader of the Opposition—

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Mr Nixon: Which decision?

Hon Mr Rae: —after being asked to reconsider by him, if I may be allowed to proceed, if I may be allowed to answer. I take responsibility for that.

I do not pretend that these matters are easy. I do not pretend that these decisions are instant. It was a moment last week when, during the course of the day, given the seriousness of the situation which the ministers were trying to respond to with respect to convictions against a doctor on four counts of sexual assault, with respect to their concern for the protection of the public and with respect to their motivation in that regard, I decided, on balance and on much reflection, that since there was no attempt by them to advance their own interest or any private interest on their part, one had to look at all those circumstances in exercising a judgement. That is exactly what I did in exercising my judgement as Premier.

Mr Scott: I suppose the good news is that the Premier can bounce from penitent Premier on Thursday to his regular holier-than-thou status in little short of a weekend.

Everybody in the House admires the step these two ministers took. We think they were forthright and honourable and we have no questions to ask of them. What we have are questions to ask about the process in the Premier's mind and in his office.

He told us on Thursday that he met with the minister for women's issues for half to three quarters of an hour, discussing the matter with her. He elected to accept her resignation. Her printed statement indicated that he had accepted her resignation and he told the House he had accepted her resignation. Would the Premier now tell us what he regarded as sufficiently serious that he would, by 1:30 on that day, accept the minister's resignation?

Hon Mr Rae: I had a chance on Thursday morning to speak relatively briefly with the minister and to go over with her the circumstances, of which I was entirely unaware until that morning. I then came into the House, and I scarcely had had an opportunity to discuss the matter with the Minister of Northern Development and we did not in fact have an opportunity to discuss that. Then we had the exchange in the House.

The member for St George-St David talks about the change in the House. I would say to the member for St George-St David that for a brief moment there was a time when the Leader of the Opposition and I were able to have an exchange that dealt with the substance of a matter and

that was not overly tainted by the obscurities and rhetoric of partisan politics. That was a unique moment in this House.

In good faith, the Leader of the Opposition asked me, and I am quoting from Hansard: "Would he consider reconsidering his acceptance of the resignation of the Minister without Portfolio responsible for women's issues? I think there is a clear understanding of what has happened here."

The Speaker: Would the Premier conclude his remarks, please.

Hon Mr Rae: In good faith, that is what I did. I discussed the matter carefully with both ministers, and on reflection I decided that their apology to the House was full and complete, that there was an understanding in the House as to the seriousness—

The Speaker: Would the Premier conclude his remarks, please.

Hon Mr Rae: —of the issue they were attempting to deal with, and it was on that basis that I decided I would not accept their resignations.

Mr Scott: This Premier cannot talk straight to the Ontario people. The question is, what was it before 1:30 that he regarded as so serious that he should accept the resignation? I am not making any criticism of the ministers. Then the supplementary question is, what was it that happened, what facts came to his attention or considerations were brought to bear between his decision to accept the resignation at 1:30 and his decision not to accept it at 5:30? What was it in the facts or in the mix that changed?

The reason we want answers to that question is not because of the ministers, but because the Premier's ability to make a sensible judgement one way or the other is clearly at stake.

Hon Mr Rae: It is hard in the time allotted to answer fully, but let me just try to say to the member for St George-St David that if I had to point to one factor which led to my making up my mind as I did, in addition to the point that was made to me and the point that was put forward to me by the Leader of the Opposition, I would have to say it was the circumstances surrounding the fact that a physician was convicted of four counts of sexual assault in the community of North Bay. I had an opportunity through the day to reflect more seriously on that question. One can argue about the appropriateness of the way in which the ministers responded, but the fact is that this is a serious question, this is a serious issue and it is not surprising that ministers as human beings would respond to that kind of situation when confronted with it and when asked to do so by their constituents.

If I had to point to one factor alone which pointed me in the direction I took, that is the factor, the fact of the seriousness of the circumstances in North Bay, and the fact that we are dealing with children, with vulnerable people and that there was an attempt in this case to advance the public interest and not to advance any private interest at all in this circumstance.

Mr Scott: The major concern that commentators both in and outside the House have to this is the sense that, for

better or for worse, he may have made the wrong decision, but the Premier made a principle decision at 1:30. Then, when he found he could make another decision with impunity, he strove to make it by 5:30, as he promptly did. We are glad he did, but what we are concerned about is the ability of the capacity of our Premier to decide.

In May 1989 a mother of four and a grandmother of many was awakened at her summer cottage in the middle of the night. She heard from a distraught young female teenager that a young man had been arrested and was being held by the OPP and being assaulted. That grandmother got dressed in the middle of the night and went down to a police station for four minutes, at which time she asked if the boy was being treated properly and was told yes.

Here is what the Premier-in-waiting had to say on 25 May: "I don't want any investigations. The critical question is the judgement of the Premier. If that isn't improper, I must be living in a different province. I want her out."

I want to ask the Premier if he ever, in the privacy of his own room, has any nagging doubts about the wisdom of that judgement, or does he have a rationalization to offer us about that one too?

Hon Mr Rae: I can only refer to the circumstances which I was confronted with on Thursday. The member for St George-St David seems to think that if someone is asked by the Leader of the Opposition, who is the dean of this place, to reconsider, somehow it is a sign of weakness or of indecision to do so. I make no apology for the fact that I found this a difficult decision to make, that it was a difficult moment for me on Thursday. I make no apologies for that. I think, on balance, I made the right decision on Thursday. I tried to exercise some compassion and some judgement. The issue before me as Premier is what to do with respect to these two ministers, and that is the question I resolved on Thursday.

1430

Mr Harris: My question as well is to the Premier. Last Thursday this government saw its eighth controversy in nine months. The most recent blunder involved three players. Two of those players have admitted they made a mistake; two of those players have taken responsibility for their actions; two of those players have apologized to the people of this province. Two of those players have done the honourable thing. The third player in this latest chapter of the Bob Rae soap opera has not apologized; he has not admitted he made a mistake.

In this whole area of conflict in ministerial guidelines, when is the Premier going to stand up, apologize and admit it is his inconsistency, his inability to explain the guidelines, to explain the importance of the guidelines, let alone the substance of them, that has been the real problem?

Has the Premier considered resigning, or at least accepting responsibility for minister after minister after minister treating the guidelines like that?

Hon Mr Rae: I appreciate the advice of the leader of the third party. I would tell him it is my intention to stick around as long as the people of Ontario will have me. I say to him that I have exercised my judgement. I have found in

discussing this with people and in listening to people over the last few days there are some people who disagree with me and there are many who agree with me, and that is the judgement I have to exercise. There is no question that the buck stops with me and the consequences for taking the decision rests with me and with me alone.

Mr Harris: I did not hear an apology in there, but let me bring forth something else. When the member for Victoria-Haliburton broke the law, the judge said this, "Here is a person who, as an elected member of our provincial Parliament, displays very little respect or recognition for the rule of law, which is the very foundation of the system which elected him." That is what the judge said at that time. What did the Premier say? The Premier said, "I am proud of him." The Premier said, "I am proud of the cause that he was fighting for and as long as it's a cause I believe in, or one that he was fighting for, or one that he believed in." The Premier condoned that action.

The Premier sent out at that time a very clear message to his caucus and to his cabinet: "If it's a cause Bob Rae believes in, if you act with good intentions, then it's okay with me. You can break the law, you can break the guidelines, you can do whatever the hell you want." Does he not understand that the way he has handled these cases beginning with the member for Victoria-Haliburton, with caucus member, with minister after minister, it is his interpretation of the guidelines that is the problem here, not his cabinet ministers.

Hon Mr Rae: I can only say to the leader of the third party that when he looks at the circumstances surrounding the two ministers I had to deal with on Thursday, and having a chance to consider it through the day; when he considers the fact that there was a great deal of concern in the community expressed to the two ministers as well as to many others—I find it is a question there of judgement involving trying to put forward the public interest and doing it in a way that perhaps was something that could be criticized.

For heaven's sake, the purpose of conflict guidelines is to prevent people from taking private advantage of a situation. There is no private advantage here. There is no private advantage involving the Minister without Portfolio responsible for women's issues. There is no private advantage involving the Minister for Northern Development. There is no benefit to them at all. There is a cry of anguish on behalf of families who have asked them to intervene because they are being asked to go to a doctor they do not want to have to go to. That is what we are looking at.

Interjections.

Mr Harris: The Premier does not seem to understand. There are guidelines governing conflict and there is the rule of law. Then there are codes of conduct of which we are talking about in these cases—the rule of law and the codes of conduct, not conflict for personal gain.

In the Premier's throne speech seven months ago, he said:

"My government's first challenge is to earn the trust and respect of the people of Ontario. My government's integrity will be measured by the way this government is

run and our relations with the people we serve. We will set clear standards of behaviour for the conduct of ministers, members of the Legislature and senior government officials."

When the Premier brought the guidelines in, he said: "We must at all times act in a manner that will not only bear the closest public scrutiny, but will go further and ensure public confidence and trust in the integrity of the government."

Does the Premier honestly believe his actions in how he has dealt with these 10 ministers in eight situations and the member for Victoria-Haliburton come anywhere close to living up to the rhetoric of his 10 years in opposition, to his rhetoric of the throne speech, to his rhetoric of the promise to the people, to his rhetoric of his guidelines? If not, when is he going to stand up and do the honourable thing, apologize to this House, to his cabinet, to the members of this Legislature and to the people of Ontario?

Hon Mr Rae: I can only quote back to the member, the leader of the third party, the words spoken both by the Leader of the Opposition and by the member for Parry Sound when the member talks about integrity. It was interesting in listening to the responses on Thursday, both of them made it very clear that there was no question—and I am surprised the member would even raise it in this context—of the integrity of the ministers involved and if I may say so—

Interjections.

Hon Mr Rae: Let it be on the record, Mr Speaker, the member for St George-St David said it is my integrity which is in question. I want to say to the House—

Interjections.

The Speaker: Would the Premier take his seat, please. I realize this is a very contentious issue. There are two things which would be very helpful: first, if members would attempt to give each other an opportunity to be heard and, second, if those who are addressing questions and responses would address the Chair. That would be very helpful.

Mr Harris: I have a new question. The Premier may want to answer about how the fruit trees are growing in Florida, which has as much relevance as his answer to me and the question I asked. I am not questioning the ministers' integrity; I am applauding their integrity. It is the Premier's integrity that I am questioning; it is his integrity at stake here.

When the member for Victoria-Haliburton broke the law and went to jail, he was given a promotion. When the former Minister of Consumer and Commercial Relations posed in a shirt and tie for a newspaper, he was turfed from cabinet. When the member for Oakwood broke a labour law, he was dumped from caucus. When the Solicitor General's office wrote to a judge, he was defended by the Premier.

Mr Drainville: On a point of order, Mr Speaker: I think the record needs to be clear. I was not given a promotion after I was convicted and came back from jail; I had the position of Chair of the government caucus before that time and I am happy to have that position now as well.

The Speaker: If not a point of order, certainly a point of disagreement. If we would come to order, please.

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Mr Harris: When the Solicitor General's office wrote to a judge, he was defended. The Premier keeps changing the rules, his guidelines. I suggest to him—

Interjections.

The Speaker: Order. I trust members do not want to shout their way through question period. A member has asked to raise a point of order, I shall hear it.

Hon Mr Farnan: On a point of order, Mr Speaker: All kinds of allegations are being put forward in this statement. The member made reference to the Solicitor General's office. Nobody on the payroll of the Solicitor General, nobody in the Solicitor General's office ever wrote to a justice of the peace.

The Speaker: It would be very helpful if members who have an interest in raising points of order could do so outside of question period, and I would appreciate it if the leader of the third party could succinctly place his question.

Mr Harris: The point of all this is that the Premier seems to be, apparently is, and in many cases exactly is, changing the rules to suit the certain circumstances as he sees fit. Does he believe these guidelines, these actions of what the law is and these codes of conduct, as he has alluded to again today in the House, are subject to being interpreted on the basis of what he, the Premier, thinks is morally and politically correct? Is that what the Premier is trying to tell us?

Hon Mr Rae: What I am trying to say to the member and to the House is that I have to exercise my judgement with respect to the question of resignations being demanded of individual ministers, and that is frequently a judgement a Premier has to make. It happens all the time when people are demanding a resignation or putting it forward as something that needs to happen.

My judgement on this instance with respect to the conduct of both ministers was that, given the very serious nature of what it was—what was the problem they were attempting to respond to? The problem was that there were four counts of sexual assault against an individual doctor, and the ministers were approached by a number of families with respect to responding, and they responded. I decided that, given all those circumstances, to demand their resignation was too much and it was quite appropriate for them to apologize fully to the House, and that in the circumstances, the admission of the mistake was in itself sufficient. That is what I decided.

Mr Harris: I know I was not here on Thursday. I did not hear anybody demand the ministers' resignation. Did anybody ask the Premier to demand their resignation? I heard the ministers ask if they could resign. That is all I have heard from anybody on this side of the House or from around this province.

I suggest the Premier is playing a game called situational ethics. He changes his principles to fit the occasion. On 6 July 1986 the Premier said this:

"If the government is not willing to enforce the guidelines, it does not matter what they are, how comprehensive they are, or how great they are—they could have been devised by Moses and brought down from the mountain-top—but if we do not have a Premier who is prepared to enforce the guidelines, they will not make a difference."

He is now the Premier. Since we have not seen one shred or iota of evidence that he plans to live up to that responsibility in the first nine months, can the Premier tell us today when he plans to take seriously and live up to his responsibility as Premier?

Hon Mr Rae: I hope I live up to my responsibility as Premier every day. That does involve exercising judgement in each instance.

I would make one other point to the leader of the third party. The premise behind his question is that the only way one can enforce any guideline or any law is to demand the resignation of ministers. I do not share that view at all.

With respect to the rest, I have already said I am looking forward to hearing from the standing committee with respect to how we can improve the law. That is exactly what we are waiting to hear from the committee on.

Mr Harris: I am very sorry, but the Premier keeps seeming to allege that I am calling for something, asking for something, that he has never heard. It is in his mind; he is making it up. If he is embarrassed about answering the question, he should just say so. If he does not want to answer it he should say so. But he should not make up answers to questions that are not asked.

At least 10 of the Premier's ministers that we know of have in some way misunderstood, misread or ignored and broken his guidelines, so we are not dealing with an isolated incident. Thursday was not an isolated incident. Clearly his cabinet does not understand either the substance or the importance of the guidelines.

For nearly a decade in opposition in Ottawa and at Queen's Park, the Premier has said on many occasions that he has known exactly what the ministers should do in these circumstances; he knew exactly what the Prime Minister should do; he knew exactly what the Premier should do. The Premier does not want me to take the time to quote back all those quotes. The Premier knew exactly. In fact, I would suggest to the Premier that he has had more experience with this than any other member I have ever heard of or known in the history of politics.

The Premier knew. He was the expert. He knew exactly. Now, in 10 months, we have seen example after example after example of inconsistency, of lack of understanding.

The Speaker: And the supplementary?

Mr Harris: In fact, I suggest to the Premier that we have cause to feel sorry for his cabinet because they have no idea what the guidelines are or what they mean.

The Speaker: Is there a supplementary?

Mr Harris: What has changed between that 10 years when the Premier clearly had all the answers, knew what ministers should do, knew what premiers should do, and the past 10 months, when he does not seem to have any idea what he should be doing in living up to his responsibility?

Hon Mr Rae: I was in northern Ontario for much of the weekend and in southwestern Ontario for a bit on Sunday. I must confess, I do not think the public has any difficulty understanding the nature of the decision that I had to take on Thursday. I never had a sense from talking to people that the public feels it was an easy decision. I do not feel there was any lack of integrity in the decision that was made.

Interjections.

The Speaker: Order, the member for York Mills.

Hon Mr Rae: It was a decision made with integrity because we are concerned as a government with ensuring that the public is protected. We are also concerned that when mistakes are made apologies are given, which is exactly what happened on Thursday with respect to the situation. I had to decide then whether I would accept or insist on the resignation of the two ministers. I decided that no further public interest would be served. All those decisions were made. They were made very publicly and, if I may say so, they were made with as much integrity as I am capable of as a human being.

TAXATION

Mr Bradley: I have a question for the Treasurer. It deals with perhaps some of the statements of the old member for York South when he was in opposition. When he was talking about taxes, he said his tax manifesto will include a very simple pledge against the GST. "We reject an amalgamated sales tax." He said that in August 1990. On 22 August 1990 he said: "We are committed to making taxes fair by saying from the beginning that we will have nothing to do with the Mulroney tax."

Now I see various reports coming forward that the Treasurer, the Minister of Industry, Trade and Technology, the Minister of Revenue and the Premier are all talking about some kind of harmonization with the GST, even though they indicated so clearly before the election that they were not. The Premier said in Thunder Bay that "there is nothing coming next week." I believe it. I suspect it is coming next month, when the Legislature is not sitting.

I would like to ask the Treasurer this question, since it was reported in the Financial Post that he was considering this harmonization matter. Considering that this would mean an additional 8% provincial sales tax would be placed on haircuts, funerals and other things that are not taxed now and that it will result in a massive additional amount of revenue to the province, can he confirm or deny that the NDP government is actively considering this policy?

Hon Mr Laughren: Yes. I can make a declaration in that regard, which the member has asked me to do. I should clarify somewhat the whole issue because I think the member for St Catharines is under some kind of misapprehension. What I said, and also I believe what the Minister of Industry, Trade and Technology said, was that the whole question of harmonization is not under active consideration by this government. That was said by me, and that was said by the Minister of Industry, Trade and Technology as well. So I am not sure what more assurances the

member for St Catharines needs, but I am sure I shall find out.

Mr Bradley: I have concerns because I notice in the wording of the answers that are given to the news media and the wording of the answers in the House to the Leader of the Opposition and to others who have asked these questions that there seems to be an evasiveness when it gets down to talking about, not the word "harmonization," but the words "having the same tax base."

Is the Treasurer considering expanding the sales tax base of the province—the provincial sales tax, so that it corresponds exactly with or is close to that of the federal GST?

Hon Mr Laughren: What the government did was it made a couple of decisions, one in the fall and one in the spring. In the fall we made a decision not to impose the Ontario retail sales tax on top of the existing goods and services tax. We forgave almost \$500 million in revenues by doing that because we wanted that money left in the pockets of taxpayers to spend and help stimulate the economy.

This spring, when the Fair Tax Commission was launched, I wrote to the commission as part of a series of requests and asked it, in view of the fact that there is now a sales tax both federal and provincial at the retail level in the province, to look at a way in which the administration of those two taxes could be made more efficient. I think that is probably where some of the confusion comes in, because of my request to the Fair Tax Commission to look at that.

SEXUAL ABUSE

Mr Eves: I have a question of the Premier on this whole issue surrounding the Minister without Portfolio responsible for women's issues and the Minister of Northern Development. Why did his government not address the crux of this issue, which was the suspension of the doctor's licence, when the issue first arose?

Hon Mr Rae: First of all, I want to thank the member for his question and say that I noticed today when he stood up in members' statements that he is bringing forward a private member's bill on that matter. That is obviously going to be considered by the Ministry of Health. It is something that is dealt with by the health professions legislation review.

But under the current law and under the current situation, I think the member would realize that government intervention of that kind is not, as I understand it, that easy. That is obviously something which, as a matter of public policy, will need to be discussed in this House and is something that will be discussed in this House.

Mr Eves: I would beg to differ with the Premier on that issue. As a matter of fact, under section 3 of the Health Disciplines Act, I would like to briefly read him subsection 1 and paragraph (a) headed "Duties of Minister"—not powers of the minister; duties of the Minister of Health.

"It is the duty of the minister to ensure that the activities of health disciplines are effectively regulated and coordinated in the public interest, to have appropriate standards of practice developed and ensure that these are

maintained and to ensure that the rights of individuals to the services provided by health disciplines of their choice are maintained and to these ends to,

"(a) inquire into or direct the appropriate council or councils to inquire into the state of the practice of one or more health disciplines in any locality or institution," and it goes on and on.

I would suggest to the Premier that there was more than ample authority here under section 3 of the Health Disciplines Act. As a matter of fact, I would go so far as to suggest that it was the duty of the Minister of Health at the time to look into, to inquire into and to direct, as the act dictates and says. It is that minister's duty to address this situation. It would have helped everybody concerned, especially the people who were sexually abused.

Hon Mr Rae: The member will know, and I take his views very seriously because he is somebody who has considerable experience in this area and whose knowledge and whose interest I think everyone in the House takes seriously, that it has been the view of the ministry that other revisions in terms of the law to deal with this question are going to need to be looked at. That is exactly what is taking place. But I would say to the member for Parry Sound that, given that there was a criminal trial under way, there were some very general discussions between the ministry and the college with respect to the general matter, but it was difficult to focus in on the individual situation.

When the member says the act could have been changed, I can only say to him that to change the act to deal with one particular problem would perhaps not be quite as easy as the member might suggest. But I am not dismissing for a moment what he is saying and I think there now will be an opportunity for the House to consider the points he is making.

ONTARIO PRODUCE

Mr Mills: My question this afternoon is for the Minister of Agriculture and Food. It is no secret that in Ontario it is getting tougher for farmers to sell their food products because of cross-border shopping and free trade. I am just wondering what his ministry is doing to promote the market for Ontario food in Ontario.

Hon Mr Buchanan: I would like to thank the member for the question. First of all, in a general sense I can say that we have launched, through the market development branch, a very aggressive campaign to promote Ontario produce this summer. The main part of the program is centred on television and seven different TV commercials that are going to talk about the quality and the freshness of Ontario produce and how it is superior in many ways to the imports we get.

We hope that through this, consumers will be more aware of the importance of agriculture and food in Ontario and will seek out Ontario produce and products when they do their shopping.

The second part of the member's question deals with cross-border shopping. We in the Ministry of Agriculture and Food are working on some initiatives with five border communities. Ministry staff are working with retailers in those communities to develop some aggressive promotional

programs for in-store promotion of Ontario products. We are co-operating with the retailers to do that and we will be providing some of the funding to allow them to use promotional in-store materials to get the people of Ontario to appreciate the importance of buying Ontario products. This will not totally eliminate the cross-border shopping issue, but I believe it will go a long way to raising the awareness of the importance of Ontario food and agriculture in Ontario.

1500

LAND REGISTRATION

Mr Conway: I have a question to the Minister of Consumer and Commercial Relations. Six weeks ago it was announced in her department that there would be a consolidation of registry offices across the province in the interest of better service, better access and more efficient use of public dollars. Having regard to that announcement, I would like to focus for a moment on the decision as it relates to the county of Lanark.

Can the minister help me understand how, in light of the several objectives that the policy speaks to, the public interest is going to be served in any of those areas by the closure of a brand-new, \$1-million government office, opened just eight or nine months ago in the town of Almonte, with the best possible access that one could imagine? How is the public going to be served when it sees a \$1-million government building, just opened, closed and all the facilities transferred and consolidated in the town of Perth, where the registry facilities are currently located in rented space that, according to the public inspection panel, is very much a fire hazard?

Hon Ms Churley: First, the decision was to integrate all the land registry offices to make it more cost-effective and more efficient, and the reality is to have one office per county or united county or municipality. The reality is there were 14 areas within the province that had duplication of services. It does not make sense. It cost taxpayers extra money to provide the duplication of services.

In the process of rationalizing the system across the province, unfortunately in my view, there were a couple of offices that were fairly new. Most of the offices were in fact quite old and inefficient. This office was built under the previous Liberal government. We will be looking at new uses for that building, but we are equalizing the system across the province and making it more cost-efficient and more efficient in general. Unfortunately, in the whole of rationalizing the system, that one had to be included as well.

Mr Conway: The minister can understand what this looks like to the taxpayers of Lanark county. They have seen, at their cost, the expenditure of nearly \$1 million to build a beautiful new facility in that part of Lanark county. She made a statement six weeks ago that said, system-wide, operationally this rationalization is going to save, she expects, about \$1 million annually. Well, \$1 million was just spent in that beautiful new government-owned office. She is going to close that down after seven or eight months of operation and move everything down to a

leased facility in Perth that, according to the public inspection panel, is fraught with all kinds of fire hazards.

Surely she understands that to the taxpaying people of Lanark county that appears to be madness. The question, among several they would want asked, is, how much money, how many hundreds of thousands of dollars is the government going to spend in Perth to address the several occupational health and safety questions raised in the public inspection panel's concerns?

Hon Ms Churley: The reality is that a lot of the offices that will be closed have incredible occupational health and safety problems. In fact, in closing a lot of these buildings, the taxpayers will be saving at least \$8 million in capital costs. When one puts the whole thing together and looks at the integration of all the offices, it is an incredible—

Interjections.

The Speaker: Order, order.

Hon Ms Churley: The opposition cannot have it both ways. On one hand, they are calling for us to save money, they are complaining about the deficit, and on the other hand they are saying, "Don't save money, leave the offices open." I am sympathetic to the problems of moving the offices. My staff are working very hard to make sure the integration happens well, but it makes a lot of sense to save taxpayers' money in this case and to make the system more efficient overall.

CONFLICT OF INTEREST

Mr Runciman: I have a question for the Premier, if he could resume his seat. It has to do with what some might consider questionable behaviour on the part of other members of his caucus and deals with letters written by the Minister of Government Services and the parliamentary assistant to the Minister of Culture and Communications, I believe, the member for Kingston and The Islands. These are letters in respect to a very controversial matter in the provincial riding of Frontenac-Addington written to a municipal council and the planning commission, with copies to the municipal council urging an official plan amendment. I am wondering if indeed the Premier considers those kinds of interventions in municipal matters as appropriate behaviour by members of his caucus.

Hon Mr Rae: The member has been good enough to send me over the two letters—this is the first I have seen of them—but I would say to him at first blush that there is nothing unusual in members of the assembly writing letters with respect to projects in their ridings or with respect to situations affecting things and nothing unusual about their writing in a very public way to municipalities or to various people with respect to activities in their council.

The member says it is an area of some controversy. Well then, we are elected people. We will get involved in areas of discussion in the local community. There is nothing wrong with that or unusual in that. I would regard it as strange if members decided upon election they were never going to do anything on behalf of their constituents or stop saying what they think. Surely to goodness members are entitled to say what they think about a given problem and to try to respond to it. What could be wrong with that?

Mr Runciman: That was discussed within our group as well, and I must say that in my 10-plus years as a member of this Legislature I have never made that kind of intervention in respect to a municipal zoning or planning decision. In fact, we have one member, the member for Kingston and The Islands, who was writing on ministry letterhead in respect to a zoning decision in a riding other than his own. I question that behaviour.

Obviously, the Premier's standards are much less sufficient than those in the Progressive Conservative Party. I think that is clearly indicated by the things he said here earlier today. My point is that we indeed believe this to be inappropriate behaviour. This is a decision that is going to impact on the community. We are talking about a secure facility that is going to house individuals convicted of very serious crimes indeed, and we have someone writing on ministry letterhead urging a municipal body tribunal to make a decision in favour of a minority in that community. I would like to hear the Premier's views on that.

Hon Mr Rae: First, the member said on what letterhead? It is on Legislative Assembly letterhead; the two letters I have seen are on Legislative Assembly letterhead. Those are the two letters I have seen.

Just so the public will know what terrible thing the members have done, they have said:

"I am writing in support of the new facility which has been proposed by the St Lawrence Youth Association to be located on Taylor-Kidd Boulevard in Ernestown township.

"The St Lawrence Youth Association has proven itself to be an invaluable asset to the community in its capacity to provide a rehabilitative service to young people making the often difficult transition into mainstream society."

I can remember a time when Frank Drea, when he was the Minister of Community and Social Services, had the guts to take a strong stand on behalf of community homes and youth homes and support for people in the community. That used to be the position of the Conservative Party, and I see absolutely nothing wrong with members taking a position and members expressing a point of view. Robust discussion in a community is not wrong; it is a healthy thing.

1510

Mr Morrow: My question is to the Minister of Labour—
Interjections.

The Speaker: I realize we are all happy to be here. If all members would come to order, then the member for Wentworth East could place his question.

OCCUPATIONAL HEALTH AND SAFETY

Mr Morrow: My question is to the Minister of Labour. I want to congratulate the minister on his recent announcement of the new construction regulations. I was glad to see the support these changes received and I know these measures will increase safety for workers on the job. However, I do understand the date these measures go into effect is 1 August and would like to be sure this date is one which it is possible to meet. Can the minister comment on these concerns?

Hon Mr Mackenzie: The industry has been expecting the amended regulations for some time. The 1 August deadline gives them adequate chance to take a look at the amendments and digest them. There has been extensive consultation with the industry and the workers involved over these regulations. It has been going on for a considerable period of time. I might say a considerable period of time too in terms of the amenities, like being able to wash our hands, on a construction site. This has been well discussed and well debated within the industry before we drafted the regulations.

HOCKEY FRANCHISE

Mr Chiarelli: My question is to the Premier. The Premier is aware there is a major Ontario Municipal Board hearing under way regarding the Ottawa Senators' Kanata stadium site.

Last Tuesday, because of the ongoing hearing, the Minister of Agriculture and Food told this House he should not comment on the hearing, yet in the same answer he said, "We think there are alternative sites." Also on Tuesday, the owners of the Senators offered to freeze 500 acres of their holdings for at least 25 years—

Interjections.

The Speaker: Order.

Mr Chiarelli: —to which, last Thursday, the Minister of Agriculture and Food, who said he should not be commenting, told the media he was interested in the proposal, and: "If there is no legal impediment, I am prepared to take a serious look at it and see if there is something we can do. We are taking a look at the proposal put on the table to see if it can be made into a legal agreement."

Last Friday, the ministry's \$1,000-a-day special legal counsel, Mr Lederer, told the media that "there was never to be a statement from the minister."

How can the Premier reconcile his minister's telling this House he cannot comment, then saying there are alternative sites, then publicly debating a proposed settlement and then having the minister publicly reprimanded by legal counsel, who said there was never to be a statement from the minister?

Mr Bradley: Dalton Camp was right.

Hon Mr Rae: The member for St Catharines says Dalton Camp was right." I want to point out the Beverly Hillsbillies was a series which lasted for several years, and now it is in syndication and it can go on indefinitely. That's what we are seeing.

Let me say in answer to the serious question from the member for Ottawa West that the Ministry of Agriculture and Food has taken a position with respect to the preservation of agricultural land. That hearing is going on quite independent of the government, and the OMB will reach a decision independent of the government.

Mr Chiarelli: The facts on this issue show clearly this matter involves executive political action and does not require a show trial at the OMB to make a green statement. The former government asked officials to assist in the approval of this project. The minister, with advice from the member for Ottawa Centre, instructed them to strongly

oppose it. The minister has now publicly said he supports a team in Ottawa and he is prepared to consider the compromise proposal.

Will the Premier instruct his minister to immediately negotiate a solution to this matter and further act to facilitate a solution that meets the needs of the ministry while also serving the needs of Ottawa-Carleton? Who will be accountable to the people of Ottawa-Carleton when thousands of jobs are lost: the minister or the ministry's \$1,000-a-day lawyer who said, "There was never to be a statement from the minister"?

Hon Mr Rae: The hearing is under way and proceeding and I reject categorically the member's description of an Ontario Municipal Board hearing as a show trial. I think that is rather strange wording from a member who knows full well there is a law with respect to the preservation of agricultural land. The law with respect to the preservation of agricultural land and rezoning is in place. The Ontario Municipal Board hearing is scheduled according to the law of the province. To describe any such hearing as a show trial, I think, shows a serious lack of understanding by the member of exactly what is involved.

QUESTION PERIOD

Mr Elston: On a point of order, Mr Speaker: Today during the question period, as on other occasions, we have had people who have stood on what they pretended to be points of order. They took up a fair bit of time. On two separate occasions on points of order we had a very long orchestrated standing ovation for the Premier which took up another several minutes.

Mr Speaker, I ask that you again address the issue of points of order which in fact are known full well by the people who have raised them not to be points of order but points of view perhaps, points of interest to them perhaps. I ask that in the next several days, as we approach the end of the session, when these points of order are raised you add an appropriate amount to the clock for the question period, particularly in situations where those people who are now in this House are very much fully aware of the fact that there are no points of order about whether or not they have a different point of view.

With respect to the standing ovation, we know full well that there are orchestrations of activity in the House to take away from the question period drive of the people in the opposition, that there are meetings almost every day now before question period, at 1 o'clock, wherein there is an attempt to take us away from asking the questions. When we hear barracking that is going on over there—and I understand, Mr Speaker, there are likewise replies from this side—when we find that it is so consistently being done now by the government side, I wish you would intervene and replace on the clock the minutes lost to those terrible, inconsiderate interruptions.

Hon Mr Wildman: On the point of order, Mr Speaker, I hope you will treat that line of poppycock for what it really is.

Mr Drainville: On the point of order, Mr Speaker, I want to be very clear that this House is a deliberative body and when information is put into the record which is patently

wrong, it needs to be refuted. That is what was happening and I was glad to do that.

The Speaker: To the member for Bruce, who raises a number of points, some of which I have drawn to members' attention not only today but on other occasions, it places the Speaker in a very awkward position when a member rises to raise what she or he believes is a point of order. The Speaker does not know what it is until having heard it. I have asked members if they would, if at all possible, refrain from raising points of order or privilege unless absolutely necessary until outside of the question period time. No doubt that, plus other extraneous sounds not connected with actual questions or responses, does utilize a considerable amount of time.

Like not only the member for Bruce but, I believe, all members of the House, I am most anxious that we be able to accommodate as many members as possible to ask questions. Some days we are able to do that and others we do not do it so well. As we head into the last few days of this sitting, apparently, perhaps members could be a bit more restrained in the extra sounds that are emitted and we could conduct the public business in a very efficient way.

1520

MOTION

CONSIDERATION OF BILLS

Miss Martel moved that standing order 85 respecting notice of committee hearings be suspended for the consideration of Bills Pr31, Pr33, Pr34, Pr42, Pr50, Pr63, Pr65 and Pr75 by the standing committee on regulations and private bills on Wednesday 19 June 1991.

Motion agreed to.

PETITIONS

HEALTH INSURANCE

Mr Ferguson: I have a petition signed by a number of residents in my community as well as communities throughout southwestern Ontario. In part, it says:

"We, citizens and taxpayers of Ontario, petition the Minister of Health and the Ontario health insurance officials to hear our request for fair and equitable rates to be paid to US facilities to take care of Ontario residents undergoing treatment, especially adolescents 12 to 21 years of age."

WASTE DISPOSAL

Mr Abel: I have a petition with approximately 150 signatures addressed to the Legislative Assembly of Ontario. It reads:

"We are opposed to a waste disposal site for composting on 63 Parkside Drive in Waterdown.... The activity would appear to be illegal both under the town's bylaw and under the Environmental Protection Act.

"The subject property is bordering on residential homes and dangerously close to residential subdivisions and the Guy Brown public school. Excessive trucking, heavy equipment noise, blowing dust on to the homes, road damage, rotten offensive odours, potential well water and land contamination, rodent infestation and surrounding devalued land are all consequences of this operation."

I have signed my name hereto.

INTRODUCTION OF BILL

HEALTH DISCIPLINES AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES SCIENCES DE LA SANTÉ

Mr Eves moved first reading of Bill 127, An Act to amend the Health Disciplines Act.

M. Eves propose la première lecture du projet de loi 127, Loi portant modification de la Loi sur les sciences de la santé.

Motion agreed to.

La motion est adoptée.

Mr Eves: The purpose of the bill is to amend the Health Disciplines Act to provide for the permanent revocation of licences of members of the College of Physicians and Surgeons of Ontario who are found guilty of sexual abuse of current and former patients.

Subsection 60(5) of the act currently gives the discipline committee discretion to impose any of several penalties if a member is found guilty of professional misconduct. Professional misconduct is defined in the regulations and includes "sexual improprieties."

This amendment defines sexual abuse to include the more serious kinds of sexual improprieties and requires the permanent revocation of licences of members found guilty of such behaviour in addition to the imposition of a fine of up to \$10,000. The penalty extends to cases involving current patients, all former patients of a member who practises psychiatry and, in the case of former patients of members other than psychiatrists, to persons who were patients less than two years before the occurrence took place.

The bill amends only the English version of the Health Disciplines Act because the Legislature has not yet adopted an official French version of this act, and that is something that perhaps we should all take pains to clarify as well.

ORDERS OF THE DAY

EXTENDED HOURS OF MEETING

Miss Martel moved government notice of motion 20:

That, notwithstanding standing order 9, the House shall continue to meet from 6 pm to 12 midnight on 17, 18, 19, 20, 24, 25, 26 and 27 June 1991, at which time the Speaker shall adjourn the House without motion until the next sessional day.

Hon Miss Martel: If I may make an initial statement and then have a go-around on this, I am moving the motion for extended sittings over the next two weeks and I have included within the notice sittings for each night of this week, four days, and for next.

I would like to make two points. Members will recall that several weeks ago a decision was reached that in exchange for hearings on the budget this summer the government would put forward some of the legislation which it felt it had to get done before the session ended. Indeed, over the course of two House leaders' meetings we came

to what I think is a very amicable resolution with respect to what business has to be done.

Within that time frame, I suspect we will sit two nights this week and two nights next—that is, Monday and Wednesday of this week and Monday and Wednesday of next—in order to deal specifically with two of the bigger bills the government has put in late in the day; that is, the bill with respect to Sunday shopping and, second, a bill respecting rent control. We have blocked those two evenings to allow for a very full discussion and for as many members who wish to participate at this time.

Second, we have also within the schedule tried very hard to arrange off those evenings where various caucuses indicated they had particular functions they would like to attend which were very important to them. We have one as well. We have tried—that is, the three House leaders—as best we can to respect the various functions that people need to attend and to work around them.

I am moving this motion, because we have some business that we must conclude, as part of the arrangement we made in order to have public hearings this summer on the budget. I do not expect it will be an onerous task, but it will allow members who want to get their points of view on the record with respect to Sunday shopping and rent control to have the time to do that.

Mr Elston: I must say this is becoming a bit of an annual event, and while I do not wish to criticize too roundly the steps taken so far to manage our business through this past session, I must say we might have performed much better in this House had there been some consideration of reaching an agreement much earlier between the leader of the third party, the member for Nipissing, and the member for York South, the Premier of this province.

The points that were being raised by the member for Nipissing were of course real and felt to the depth of his right-wing soul. I know he felt very strongly about his point of view. The point of view shared by the caucus of the New Democratic Party with its Premier was likewise firmly held and I can understand its resolve to resist even a modicum of movement towards some kind of reasonable discussion with the third party because of its desire to display its macho credentials to the public in Ontario.

But I have to say it has been destructive of the process of studying and developing the issues in this House and has prevented us as members of the Legislature from displaying an ability to consult and speak our minds in this House in the manner in which we ought to be allowed to express our views.

That having been said, on behalf of our party I am not going to resist the extension of the hours this evening. We are prepared to go along and sit until midnight if that is the will of the New Democratic Party, but I can tell members that it would have been very easily avoided indeed had there been some prior decision taken by the Premier that he would allow a reasonable review of the budget material in a committee of the Legislative Assembly.

There are other areas in which we might very well use this motion to make our points of view known with respect to the manner in which the Premier is managing his overall

governmental affairs. There are concerns to no end about the manner in which he exercises the use of his principles or extends his principles with respect to the operation of ministerial business. There is no question about the lack of confidence that the people have in the ability of this government to manage the day-to-day economic issues. We might very well have taken our time to expose the New Democratic Party for what it is in being unable to manage not only the business of the House but also the business of the province.

We might very well have decided to make a very concerted effort to use this debate to talk about the inability of the New Democratic Party to manage the economic welfare of this province. As a result, the extended sittings might very well be used as an occasion to point out to the people in the province that these individuals are solely and entirely responsible for a whole series of misadventures by not only ministers but several other people who live in this province as well.

1530

I cannot say how difficult a position the province is being placed in by the inactivity of the New Democratic government, how difficult by reason of delay in the implementation of several policies and proposals which should have been here on the floor of the House, except for the machismo that the Premier had tried to display in the early showdowns with the leader of the third party.

It is to me a sad comment, the government's resort to the extended sittings as an answer to getting some business done when it might very well have arranged on a consensus basis to have the issues dealt with in a timely fashion here in the Legislative Assembly. There are so many things that could have been done better, except they thought they would like to show us the bottoms of their boots. That is perhaps the way this government will continue to carry on, as they display a total disregard for developing, in a consensus fashion, a way of managing the affairs of the province. It extends to labour-business negotiations; it extends to management of the economy; it extends to their dealings with the federal government.

All of these things could make me speak for hours on end. However, I have decided that in the interests of getting on with the business of the day we will acknowledge the superior numbers of the New Democrats and their mindless adherence to the Premier's party stance. We will let this chamber get on with the debate of the Sunday shopping bill, which is for my friend the member for Scarborough North more important than dealing with the speech from the member for Bruce, who says he wants to express concerns about the way this New Democratic government has displayed its inability to manage the province's affairs. We will not oppose this. Let's just get it out of the way. Let's get on with business.

Finally, because they are in a hurry to get away from here for their holidays, these people may want to process some business instead of making some grandiose gestures of concern, and we will help to process the business through.

Mr Sterling: I think it is important to note that the government has the right to introduce this motion and limit debate on this motion going into the last two weeks of each period of our session. We do not deny the government the right to extend the hours this evening and each of the evenings for the next two weeks if that is necessary in order to carry the business. Therefore we will be supporting this motion. We think it is perhaps unfortunate, but I think those of us who have been here for a long period of time recognize that it is almost a necessary evil. It seems to happen all the time in just about every session. Therefore, let's get on with the debate.

Hon Miss Martel: I appreciate the support from the member for Carleton. I would only say in response to the comments made by the member for Bruce that there was a time when I sat on that side and the former government House leader sat over here. In those times it was a fairly regular practice of the Liberal Party as well to move this motion. While he may talk about how we should have organized our business better, etc, I would remind him that this motion was moved twice under the Liberals and it was moved twice under us. It is becoming, as the member for Carleton says, a regular part of this business, and I expect it will, but I hope that we can get on with it. Thank you.

Motion agreed to.

Hon Miss Martel: Mr Speaker, if I might, I shall go in search of the Solicitor General, since he is moving this bill. My apologies to the House.

Mr Elston: I think, Mr Speaker, there ought to be a recess until he is found. Since the Solicitor General is unable to attend the business of the House, we should have a recess until he is found.

The Deputy Speaker: Is there unanimous consent that there be a recess? Any recommendation as to how long this recess should be?

Hon Miss Martel: May I make a suggestion? If you would give us five minutes, I shall go in search of him.

Agreed to.

The House recessed at 1535.

1542

Hon Miss Martel: The minister is on his way. I apologize to the House. We had been advised by the official opposition that there would be several speakers on this motion. We had assumed they would be vociferous and eloquent, etc, and so did not gauge our time accordingly. That is the reason for what has happened here today.

The Deputy Speaker: The minister has just arrived.

RETAIL BUSINESS ESTABLISHMENTS STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉTABLISSEMENTS DE COMMERCE DE DÉTAIL

Mr Farnan moved second reading of Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act in respect of the opening of retail business establishments and employment in them.

M. Farnan propose la deuxième lecture du projet de loi 115, Loi modifiant la Loi sur les jours fériés dans le commerce de détail et la Loi sur les normes d'emploi en ce qui concerne l'ouverture des établissements de commerce de détail et l'emploi dans ces établissements.

Hon Mr Farnan: It is with great pleasure and a considerable degree of pride that I move second reading of this important legislation. This government is committed to providing Ontarians with a common pause day, a commitment that was made in the November speech from the throne.

Bill 115 establishes a common pause day for Ontario while at the same time encouraging tourism, an industry that is vital to the economy of many areas of our province. There are two parts to the legislation.

The first amends the Retail Business Holidays Act regarding the operation of retail businesses on Sundays and other enumerated holidays. It supports and protects Ontario's tourism industry by providing province-wide criteria for an exemption for tourism-based businesses regarding holiday closing requirements.

The second part protects retail employees by giving them the absolute right to refuse Sunday and holiday work without risk of losing their job or facing disciplinary action from an employer.

Tourism is a vital part of our economy. The changes to the Retail Business Holidays Act acknowledge that by providing a mechanism to meet the needs of this important industry. It is important to note that Ontario's tourism industry is a unique industry with unique requirements. No existing or previous legislation has ever adequately addressed this fact. Indeed, this government is the first to address the significance of tourism.

Under the current act, municipalities are granted powers that are virtually unrestricted to enact bylaws. This holds the potential for an inconsistent application of the law across the province, thus undermining the importance of providing a common pause day for Ontario. The amendments before the House will establish province-wide criteria for tourism. These criteria would have to be met before an exemption can be granted. This provision strikes a balance between responding to local needs and the need to have a fair and uniform law that promotes a common pause day for the citizens of this province.

I remind members there is a transitional process to minimize confusion during establishment of the new system. Municipal bylaws regarding retail operations on holidays that were in force as of 3 June 1991, the day before first reading of this legislation, will continue for one year from the date of proclamation of these amendments or until the bylaws are repealed, whichever comes first.

I also remind the members that this government regards the common pause day issue most seriously, as indicated in the fact that the amendments set out minimum fines for breaches of the law.

As for the amendments to the Employment Standards Act, they will strengthen the rights of retail workers by giving them the absolute right to refuse Sunday and holiday work. Even if employees initially agree to work on one of these days, they can still change their mind and

refuse the holiday work if they so advise their employer within 48 hours. In addition, the amendments guarantee an employee 36 hours of rest in every seven days of work.

The sooner we can pass second reading and send the issue on to the standing committee on administration of justice for public hearings, the sooner these benefits will flow to the tourist industry, retail workers and all Ontarians.

1550

Mr Curling: I have looked forward with great anticipation to speaking on the amendments to this act. Although a few minutes ago I thought the debate would not take place, I must commend the government House leader for finding the Solicitor General so he could make his opening statements. I am glad to hear him so that we are able to make our comments. We will be making comments in more detail as it goes to the committee and the public has an input into this bill that he has put forward here.

As the Solicitor General first stated, the intent of the amendments by the government is to provide two basic things; one is a common pause day with the exception for the tourist industry and the other is the absolute right of refusal of holiday work for retail workers.

Whether or not these amendments have accomplished this will be judged when we take a closer look at what was done. As a matter of fact, we do not even have to take a closer look. I think the way some of the comments have been made recently realize that this is not a well-thought-through bill at all.

The history of Sunday shopping goes as far back as 1845. I do not intend to take members through this long history of Sunday shopping, but here we are in 1991 and I should say that when the Liberals were in power, we moved very far in addressing some of the concerns that were daunting us for years. Today we are here to address the amendments before us.

I want to begin my comments today by quoting the words used by a certain member of this Legislature during a debate on this very subject, the legislation to regulate Sunday shopping. Not so long ago, that member during justice committee hearings placed a stuffed yellow chicken and a sign saying, "I am not deaf, I am just ignoring you," on the corner of his desk. His colleague who is sitting beside the member, and I will not name him here, recalls very well that those were the gimmicks done by the now minister.

The same member was thrown out of the Legislature for calling another member a hypocrite. Can anyone imagine that this honourable gentleman, who came forward today to present this bill, called one of the most honourable members in this Legislature, the then Minister of Health, a hypocrite? Of course, I am speaking of the Solicitor General, who is now putting this bill forward.

Surely the people of Ontario have a right to expect the government to implement after it is elected what the government promised before it was elected. Surely the people of Ontario have a right to some honesty and integrity in government. Of course, election time is a time to make promises. But again, we are all honourable people, advocates of

all of the concerns of the little people or common people, or whatever the NDP put forward. Of course, we are advocates to an extent that sometimes we can even break the law to advance the cause, but people look for honesty and integrity and sometimes a bit of consistency.

This legislation represents yet another series of NDP broken promises. The Solicitor General promised special exemption for border communities. He has not proven at all that he can deliver on that. He criticized the current legislation, the municipal option, and then with this legislation handed to the municipalities what promises to be an expensive bureaucratic nightmare. We heard the comments after the press conference of some of the interest groups as to what the minister has put us into.

The Solicitor General also promised a province-wide common pause day. He has not yet defined what that is. This bill does not do that, as the minister would acknowledge. Of course, it provides that in his opening statement.

It does not matter to the government of the day that this legislation is poorly drafted, very complex and, no need to say, unworkable. I will comment on that later on. What matters, they say, is that it shows they are committed to a principle. As one of my colleagues, the chief whip in my party, stated, "If you don't like our principles, we have some more."

Taxpayers in Ontario have a right to know why the government is so intent on passing legislation which it admits to be flawed and unenforceable. As a matter of fact, the minister himself admitted that this legislation is going to place an onus and a very expensive burden on communities across the province.

The current Minister of Transportation, when he was a member of the opposition, once spoke of the importance of a government having the courage to admit it is wrong. The existing legislation regulating Sunday openings has been upheld as constitutional by the Court of Appeal. It did not lead to wide-open Sunday shopping as prophesied by this NDP government when it was in opposition. I consider that legislation, that direction by the then government, to have been fair, consistent and, most important, enforceable.

The NDP members should admit, which they are not likely to do, that they are wrong. They were wrong about the legislation as drafted by the previous government. They should in fairness withdraw this inconsistent, poorly drafted, unworkable legislation. But do they listen to us? No, I hurry to say, they do not listen; but yes, sometimes they do listen. They said they listened to our leader the other day when he made some comments to them. They said they based their judgement really on the honourable leader of our party, the member for Brant-Haldimand.

Let me just make some quick comments about some of the amendments that were put forward by this minister. One of the things that is stated in the bill is that a bylaw may only be passed to ensure the maintenance and the development of tourism. This is a rather restricted way of putting this point forward. We have yet to find out the definition of "tourism" or even the definition of a "tourist" in this bylaw.

A municipality must ensure, the bill states, that prior to passing the bylaw, the area meets provincially developed

tourism criteria. As I stated earlier on, when we had passed on this, when we considered the Sunday shopping bill, we felt that the municipalities had an extremely important role to play. We thought it was difficult for us at Queen's Park, along University Avenue, to dictate to all the municipalities around what should take place. We felt they knew exactly whether they would like to open their stores on Sunday, whether they wanted designated areas of tourism. We moved that responsibility, of course, into the hands or the jurisdiction of the municipality. Earlier on I commented that the member put out his rubber chicken and said that was a chicken way out. Today, the same minister is asking the municipality to take that responsibility.

We feel that as he flipped in some respects, in flopping and flipping from one position to the other, he has made it more confusing. Believe it or not, the minister has made it more confusing. What he has done or his party has done is decided to put certain provincial criteria and then pass it on to the municipalities and say, "Now you do it." I recall some time ago that his leader stated emphatically, and I quote from one of his remarks about the municipal option, "You cannot protect the worker's right to refuse, nor can you protect the notion of a common pause day, when you have legislation decentralizing all this power to the municipalities."

Some of the new members here may not recall or they may not have been following Hansard or they may not have been looking at the TV at night, but I was here. That was not even so long ago as a matter of fact; that was last year in June, just before the big promises came about in the election. The leader felt that abdicating our responsibility as a province to govern would not be the way to pass the power on to the municipalities. Members would not believe it is the leader of the party who had stated that. The flip-flop attitude of this government is quite evident, not only in some of the policy issues but in the basic principles guiding them in governing this province.

1600

Another point I would like to make about the bylaw they intend to amend is that a bylaw may only be developed following a request from one or more retail establishments, or within a regional municipality upon request of a local municipality. The members know that in our legislation we did not require an application for a bylaw to be made. It is rather interesting that the minister is asking the regional municipality—I want him to help me understand this amendment he put forward. By helping me to understand, I think he will have the people of Ontario understanding this rather confused bylaw that he has put forward here.

I live in Scarborough. That is a municipality within the regional municipality, and the mayor is Joyce Trimmer. In the regional municipality we have a regional chairman by the name of Alan Tonks. If I have a law I would like Scarborough to put forward—the mayor would like to—for a tourist area, of course we have to appeal to the region for this. There is this confusion about the municipality asking the region if it can be designated as a tourist area. I want the minister, when he comes back, to explain this to us so we can fully understand what the process is and why

he has to make it so adversarial and confusing in his amendments.

There is another point I would like to make. The amendments also make the final decision regarding the tourist exemption bylaw the responsibility of the regional municipality, following up on my point that the exemption bylaw is the responsibility of the regional municipality. If the regional municipalities say no, it is all over. What can individual retailers do to correct that? They would have to challenge them in the courts. I say to the minister today that while being a politician is the profession I am so happy about, if you want to make money I would advise many people to go into law practice because a lot of cases will be coming forth. Many lawyers are smiling today knowing that a lot of appeals will be coming down.

The amendments also prescribe procedures of municipal councils, the ability of the government to prescribe regulations and the ability to act for unorganized territories. That is not much of a difference and I understand that in areas that are unorganized, actually some of the legislation can be done here. I have not much complaint about that one.

The final comment I would like to make on this one is that the government has made minor alterations to the form the bylaw may take regarding classes of retail establishments like stores and other related requirements with regard to the establishment of, as I said, retail establishments. In addition to the amendments to section 4, they also intend to amend section 6 and section 7. This, as indicated, will allow the existing bylaws to continue for the first anniversary. I think that is sensible in a way because I know that for many people, as laws are changed, it throws in a lot of confusion. I can say yes, that as 3 June, as the minister has described, if laws are in existence then, the anniversary will be 12 months or a year after that. It gives them time to adjust.

I just want to make some comments about the other part on the Employment Standards Act. I know the NDP government feels that it is the greatest advocate for workers. If the members are sensitive to it, let me tell them that this amendment will not in any way protect anyone. It is unenforceable.

First, to begin with, it is stated that you could give 48 hours' notice if you wish not to work on a holiday or on a Sunday. I think that is rather inadequate considering the fact that if someone is going to work on a Sunday—the minister does not have to answer until we get him into the committee—and on Friday evening he or she states to his or her employer that he or she will not work on Sunday, he or she has lived up to the requirement of giving 48 hours' notice. I feel it places the employer in a peculiar position to find someone by the time it is Sunday.

I think when the government brings laws into place it must make them balanced in the interests of both sides or three sides or four sides, whatever the number of parties that are involved. Some of these employers, as the members know, are finding it very difficult to find skilled labourers, skilled work people. So I would like the minister to consider that on the employer's side of it. At times over on that side the NDP government believes only it

thinks of workers. I think it must be a government for all people.

I am concerned too that if an individual, a worker, says he or she is unable to work on that day, and of course has legitimate reasons why he or she cannot work on that day, an employer may not punish that individual for not working on that day but may start enforcing some rather strict procedures on this individual for other days. Maybe that individual may not be able to work on a 6 o'clock to 12 midnight shift, or graveyard shift, and because the individual has indicated that he or she cannot work on a holiday or a Sunday, he or she may now be asked to work on a shift basis. Refusing to do so, of course, may result in that individual losing his or her job for not living up to the requirements of the workplace.

I am telling the minister that this bill is unenforceable. I think it was hurried. I think his government was unproductive, found itself coming to a time when the House would be adjourned and had nothing to show the people. Many promises it has made—it was demonstrated in its rent control bill that it was not thought through. It is now demonstrated in this bill. It was demonstrated when we wanted some explanation about tourism exemptions. Then it said its tourism criteria were placed before us.

I am no lawyer, but the number of gaps or unexplained things in this will tell the members that it was not thought through. One of the areas stated that the area has to have historical or natural attractions. I do not know what that is. I do not know what its history is. Is it because it has been around a long time that makes it history? What is a natural attraction? I do not know.

The area has to have cultural or ethnic attractions. Again, I do not know what that means. If we have people of Irish descent living in an area, if we said there is much of an ethnic attraction there, of course there is a great attraction for the Irish people, but is that a tourist attraction? Will someone then apply to have the area designated as a tourist area?

It must predominantly provide for "shopping activities which feature a unified concept or theme, farmers' markets, the sale of heritage or handicraft items, the sale of items unique to the locale or of other specialized shopping activities catering to visitors."

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I do not know what a visitor is. I am saying to the minister that it was not thought through. The government has a couple of days to go before the House adjourns. It would like it to demonstrate to the people that it lives up to its promises. The members opposite are the government now. There is a big bureaucracy, a very well-oiled, good bureaucracy that can draft good guidelines and good legislation. This is not what we call a guideline.

Maybe that is why the minister said, "Yes, we thought there was more to it." We called the bureaucrats and the minister sent the bureaucrats on a trip to all the caucuses to explain what this was about. Let me report to the minister. He wants feedback, he said. They were telling us that there is a guideline to explain a guideline.

What a hole. What a gap. Someone described this bill as so wide open you could drive a \$10-billion deficit

through it. The government is causing chaos. It is going to be very expensive.

I have great respect for the bureaucrats. I have worked for some of the best bureaucrats in the world. As a matter of fact, I think the Ministry of Housing and the Ministry of Skills Development have the best bureaucrats in the entire world. I am sure that what they lacks is leadership to show them where to go and what to write. They do not need to be hurried. They do not need to draft legislation because they have a couple of days to show the people they have done something. Maybe they were too busy stumbling over each other, stumbling and getting into trouble.

I would say to the minister, since at times he seeks our advice, to withdraw this bill and come back when he has good regulations. He should come back when the regulations are not so wide open, not so unexplained. He should come back when we do not need a guideline to explain a guideline, so we can move expeditiously through the process and not make it up as we go along.

I told the minister that Sunday shopping—he knows it too—has been around a very long time. We thought about it and we put forward legislation. When we were in government we had placed this government on the right track. We told the government that one has to be sensitive to all the areas. As a matter of fact, they challenged us in court. We won that case, so we are saying to the minister that we have set the plateau. We set the road for this government. I think the problem here is that while they have roads, and while we have equipped them with limousines and chauffeurs, they do not know where they are going. The government has good drivers. It has excellent bureaucrats. They need to know where the government wants to go. They need to know, without any great explanation, exactly what it is the government wants. Tell them that what was promised in the campaign is not so any more. They will understand that. Tell us and we on this side will do our utmost to make it the best legislation around.

I tell the minister there is hope. The government has said it will not call a snap election, so it has a good time in which to carefully do that. I commend it for saying it is going to let the public have some input, but let me caution the minister on this.

We will not be fooled any more that the government will have open discussion with the public if it sends a memorandum around saying that we who are elected members must not participate. I think that is a kick in the face of democracy. I hope if I or any of my colleagues go to those hearings, the minister will allow that, not like his colleague the Minister of Housing, who decided that we shall not speak because, "We know better than anyone else and you, the elected members of this House, may not speak." The minister is not a man of that type of character. I know the Solicitor General well. If he attempts that, I will seek advice from all, from my leader of the House and the leader of the party outside, to make sure that the people are heard. I commend the minister for putting it through a public hearing.

We look forward with great anticipation to debating this Bill 115, if the minister chooses not to withdraw it, which is the best advice I can give him, but again, with the

stubbornness and the determined aspect of this government, it will be put through. We are ready, and I have given the minister notice of the concerns that we have. I have given him notice that his guidelines are weak. His guidelines are things that we feel need much more explanation.

Mr Elston: And they have secret guidelines too.

Mr Curling: Yes, and also, not only the guidelines, not only guidelines to explain the guidelines, but also all the secret guidelines too. It is shown in their conflict of interest that they have other guidelines. It is difficult for us to deal with that. We do not like those hidden agendas that they have. Just for the record, because it is very important, the wonderful thing about this Parliament is that things are documented, just to remind these members here.

Some of the things I want to talk about include the protection of workers and some of the quotations here. In answer to a question, "By your own admission, though, the right to refuse work on Sunday is rather spineless, it is weak; it cannot be enforced," the honourable minister answered in his great fashion, so distinctly, so clear, "Let me tell you that there is no question what you say is true"—spineless, unworkable, rather weak legislation.

When I heard the honourable member stated that in Focus Ontario, I was extremely proud of him that he admitted to the millions of people across Ontario—his posture was of such honesty; he is an honourable man and an honest man—that this is spineless, weak and unenforceable legislation.

Then we asked him in the House if he said that, and I know how uncomfortable the minister was at the time to do that. He said, "I didn't say that." He said he was interrupted, but for the record, members can get the script where he proceeded to talk about protection of workers and the Occupational Health and Safety Act in the typical way of not answering the question.

In another quotation from the people, the United Food and Commercial Workers International Union on protection for workers, hear what they say, "Maybe no one will get fired for not working Sundays, but you can bet they'll get fired for something else if they don't." I brought the point up to the minister as I illustrated to him about those who may refuse to work on Sundays or holidays and who may be placed on shift work and be unable to do so. I caution him to look on those things.

One of the concerns that was raised had me a bit bothered, and I want the minister to take a look at this. The minister has given power or responsibility to individuals or organizations that they did not ask for. Here is a quotation that came about from that, "It's hard to understand how we have been placed in a regulatory position to a degree that we neither asked for, sought for nor wished to have, and all without any consultation from the government." This came from the president of the Ontario Chamber of Commerce.

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This government should not take the people for granted, which it is doing, just by the decision that was made even on Thursday. I sense what the people want. Therefore, the Ontario Chamber of Commerce is asking the minister, "Why are you giving us this responsibility?"

Maybe they would like it, but they said to the minister that they would much rather be consulted before these things are passed on to them.

I never like to include any other parties in this. It is funny, while I was doing some of the research, I saw where the Tories have changed their views now. I am glad to know they have started looking very seriously now at Sunday shopping. It seems to me there is a closeness between us here.

In some of the information that we have passed on, they state: "The Solicitor General is going to have a patchwork across this province, so they start focusing on Sunday shopping. He is going to have uncertainty. This legislation is a direct pathway to the courts, and I say shame on him." That is the honourable leader of the third party.

Things are coming together. I am saying to the Solicitor General that both sides of the fence here in the opposition are watching very carefully. Now that I have started watching about Sunday shopping and have a broader approach to Sunday shopping, not a one-sided view about it—those are the Tories I speak of—we watch very closely and anticipate with great excitement the fact of representation of all the people, taking into consideration this diverse multicultural society that we have, the sensitivity of regions, of tourism and border shopping, which the government promised and has now decided it will not do anything about. We are looking very closely and look forward to a very healthy debate.

Hon Mr Farnan: I want to recognize the member's introduction of debate on behalf of the official opposition. Apart from some personal and partisan embroidery which entered very briefly into his comments, I think he has started off the debate by addressing the issues in a substantive way. I want to commend him for that.

It is very important, of course, that we recognize the fact that we can disagree. We will deal with many of the issues as we examine the legislation through the debate and through the hearings.

But I think it is important that the member recognize there are fundamental principles at stake: the principle of a common pause day, whereby we wish to strengthen family and community life; the principle by which we want to protect retail workers; the principle by which we want to have an exemption for tourism because it is a cornerstone of our economy; the principle by which we want to work with our municipalities in partnership by providing provincial guidelines that allow for local sensitivity and responsible guidance from the province.

These are principles, and I do not want the member given some false signals. We are going out to listen. The principles are not up for negotiation. We are prepared to listen to other matters that surround the legislation that may affect fine-tuning, but this government is committed to a common pause day; committed as it was in the election; committed as it was in the throne speech; committed as it was in the Premier's public statements; and committed as it is in the legislation as it currently stands.

Gerald Vandezande, director of Fairness for Families, said, "What Mike Farnan emphasized today was the value

of community life and family life." This is an organization representing unions, churches and retailers. We believe we are on the right track.

Mr Curling: I just want to comment on that and to say to the honourable member about the last quotation he made that I think he should get Mr Vandezande in and discuss with him too, because he has further thoughts, now that he has been able to digest this. He has a bit of indigestion. It is good the Solicitor General thought Mr Vandezande has worked extremely hard. Of course, coming from a very respectable riding, I expect the highest calibre of presentation from Mr Vandezande.

The member said I made partisan shots towards him. Everything is back to right here.

Again, as I said, I look forward to this debate when it comes to second reading.

Mr Harris: I regret that I cannot stay here all day and through until midnight tonight, because I do have a few other commitments on today, but I wanted to say a few words. I know there are a number of members of my party who have some very strong feelings about this legislation, about the intent of it and then its ability to live up to that intent. I think they all have some very constructive comments to make, either regarding the necessity for the bill, the intent, and then whether the bill meets those objectives or that intent.

It is an issue, of course, that I think there is a fair sense of disagreement on across the province from those pro and opposed to Sunday shopping. However, I want to briefly talk about changes to the Employment Standards Act before I get to the bill itself.

I appreciate the introduction of this section 3 of the bill dealing with the Employment Standards Act. I believe it could have gone further than it does in trying to provide for a day a week, a pause day, for members of families. It seems to pick on Sunday and say there is a possibility under this bill to choose Sunday and provide some degree of protection for that.

However, I believe most members would know there are many, many people in this province for whom Sunday, if the only option for them, does not suit their family circumstances. It may be because of religion. It may be that they are married to firepersons or to police persons or it may be that they are married to miners or it may be that they are married to shift workers, many of whom have to work on Sundays. It may mean they are married to doctors. It may mean they are married to nurses. It may mean they are married to ambulance attendants. It may mean they are married to politicians, in which case they never see us. There are so many people for whom having the option of being able to reject work on Sunday is of no benefit to be able to have a day with their family, with their children or with their spouse or whatever their family circumstances are.

It struck me that what we should be striving for is a piece of legislation to allow workers—every retail worker in this case a choice. Many will say, "Why retail workers and not others?" Many of the others are dealing with necessary services, and we recognize that, I believe. I also

think we are in a transition period in the retail business and a period of time with this type of protection might be very helpful to all full-time workers to allow them to choose a pause day that suits their family circumstances and religion.

What the minister is doing by zeroing in on Sunday is saying: "I'll tell you when's good for you. I'll tell you what is good, whether your religion and Sabbath is celebrated on Sunday or not. I'll tell you. It's Sunday. That's it."

I find that offensive. I think that is wrong in our society. I think it is wrong for many people in many aspects of jobs for the minister and the government to come out and say, "We'll tell you how to live your life; we'll tell you when to take your pause day." I object to that and I think it is wrong. However, I support the principle.

1630

I also want to address the issue of whether it is enforceable or not. I assume the Liberals are supporting all aspects of this bill, because it meets exactly what they thought was the solution.

First, it provides some worker protection. Even though I admit it is very difficult and not completely enforceable, I believe the minister goes a little bit further. I still have to say it is not 100% enforceable, there is no question about that, but I believe it is a move in the right direction. I believe it makes a statement, particularly if it were to allow family members, full-time retail workers, to pick the common pause day that suits their circumstances.

Second, I assume the Liberals are supporting it because this is the municipal option. It is saying to the municipalities: "You decide. Here are some criteria that you can use to make a decision, but the responsibility is yours." That was the Liberal solution as well.

I am not quite sure what the member for Scarborough North was talking about when he referred to the members of the Conservative Party and looked at me. I have been very consistent in my opposition to the Liberal bill, as I will be in opposition to this bill when it comes to the dumping off on municipalities. I oppose that aspect of it. I think it is wrong.

I agreed with the Solicitor General, who toted a chicken all around the province and said it is the chicken way out to leave it to the municipalities. I agreed with the former Solicitor General, Joan Smith, who said this is the chicken way out, and then she brought it in.

I guess I would have a little more sympathy if the Solicitor General just stood up and said: "Okay, we took the chicken way out. I said it was a chicken way out when the other government did it and now we're doing it too." If they would acknowledge and admit that, I might have a little more respect and understanding, because that is what it is.

Of course the issue is Sunday working, not Sunday shopping. Some people are having to work on Sunday who may not want to. I am of the view that it is this aspect of the Employment Standards Act that we should focus on, because if we can strive and find a way to give the right to every full-time retail worker in the province to be able to choose a pause day common for his family circumstances, common for him, that means something to him, not common

according to the minister's definition or religion or circumstance but common to him, what need is there for the other piece of legislation?

I want to talk about the other piece of legislation. I cannot tell members how disappointed I was to hear the minister today saying that the whole reason for the legislation is to have a common pause day. The whole bill describes how we do not have a common pause day—exemptions for this, exemptions for that, border communities can qualify, tourism areas can qualify, everybody can qualify. I am going to talk about the criteria; you can drive a truck through them. There is not a town, store or municipality that cannot open in this province on these criteria; not one.

Basically we have the Liberal bill, the municipality decides, with some criteria. Let's look at the criteria, because these are what are being touted as being new. The criteria start out with tourism. It is part I, Retail Business Holidays Act amendments.

"Persons carrying on retail businesses in a municipality will be able to apply individually or in combination or through a representative organization for a bylaw. The council will be required to hold a public hearing before passing a bylaw." Same as the Liberal bill; you have to have a hearing.

Even if the tourism criteria are met, council is not required to pass the bylaw. "The council's decision will be final." No provision is made for appeal to the province; ie, the buck stops at the municipality, at the city, at the town. The province is going to wash its hands of this, even though it is its legislation. Then you can appeal to the courts.

So we are going to have the patchwork, the quilt, we are going to have those municipalities open that wish to open, and those that do not wish to, for whatever reason, not open. It is a municipal decision.

I think we are going to have border communities opening. I think they are going to be competing with communities that border the border communities and will have very unfair competition. We are going to have the same unfairness that we have today, the same unfairness that we had when the former legislation was there. It made sense 20 years ago but does not make sense today.

Everybody wants to go back to 20 years ago. I have heard more people talk about the old Conservative bill, how it worked 20 years ago. Of course it did. Corner stores served candy and some pop. They were not full-blown grocery stores like they are today. We had drugstores that were drugstores and sold drugs. Now drugstores are hardware stores, clothing stores and grocery stores. It is very unfair. It is very unfair just even within a community.

As well, we have fruit stands. They are okay. Fruit stands are all right. Fruit stands are now full-blown meat markets, selling all groceries and everything else.

We have video stores. This government says it is going to exempt video stores. They will be allowed to sell videos or rent videos, but video stores also sell televisions, they sell recorders, they sell equipment. They compete directly with somebody across the street who cannot open. That is not fair. There is no fairness in this.

This government has to ask itself whether it can legislate fairness. If they really believed in a common pause day, if that was their goal, they could have shut everybody down on Sunday. Everybody. That would be common. No Sunday shopping. There might have been exemptions. Hospitals could dispense drugs if drugs were a necessity. If they want that, that is one choice. I do not happen to be a proponent of that—I think it is silly—but that is one choice.

What this government has done with this bill is it has made absolutely nobody happy. Municipalities are not happy. Those who want Sunday shopping are not happy. Those who are opposed to Sunday shopping are really not happy, particularly as they understand the bill.

Let's get back to the tourism criteria. We have retail stores under 7,500 feet and retail stores over 7,500 feet, two different cases. Stores under 7,500 feet with fewer than eight employees serving the public are automatically included in any bylaw in so far as they are contained within the designated area. So if Windsor says, "We're a tourist area," any store under 7,500 feet automatically gets to open. That is not appealable once Windsor passes that bylaw.

Then we have over 7,500 feet. Here is the criterion, "Retail business establishments in a geographic area may be exempted if the area has characteristics which fall under two or more of the following categories."

The first is that "the area has historical or natural attractions." I have not been to a town, a city, a community anywhere in this province that has not been proud of its history, of its historical or natural attractions. I have not been to one. I remember my maiden speech when I talked about North Bay, Nipissing, Verner and Sturgeon Falls. I have heard every member give speeches on the throne speech or on some other thing, it really does not matter very much, so that we talk about our ridings. I cannot believe there is an area that will not be able to have some kind of historical or natural attraction.

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"The area has cultural or ethnic attractions." There may be some that do not have; I cannot think of any. I think of my community, I think of the smallest towns and how proud they are of their heritage, of their cultural background.

"The area provides a concentration of hospitality services." I guess it depends on what your definition of concentration of hospitality is. They may not be able to qualify under that, but all they have to do is hit two and they are in.

Number 4, "The area predominantly provides for shopping activities which feature a unified concept or theme, farmers' markets...." Virtually every community has a farmers' market somewhere, so that is in; that community qualifies.

"The sale of heritage or handicraft items." Maybe some of the very small towns do not, but show me an area that does not sell Eskimo carvings or moccasins made by natives throughout many areas in Ontario. Many of them come from my riding in Nipissing.

Number 5, "The area provides access to hiking, boating, camping, fishing or other outdoor recreation pursuits." There may be some areas that do not border or are not very close to a lake or where there is no boating. I suggest we are into the majority of the province now. There may be some areas that do not have that, but show me an area that does not have some area to hike, to camp. There may not always be fishing, there may not always be boating, "or other outdoor recreation pursuit." Show me a town anywhere in this province that does not have some outdoor recreational pursuit—cross-country skiing, tennis, baseball, cycling, hiking, walking, bird-watching, looking at the northern lights. I cannot think of one.

The municipalities can drive a truck through this. All they have to do is qualify in these two, and the courts are going to interpret them. The courts will interpret them, because there is no appeal to the province. What we have here is, virtually any municipality that wishes to open can open.

Then you have some other ones for stores over 7,500 square feet. All we have done so far is, if they wish, to open virtually every store in the province under 7,500 feet.

Now we have some other things. Retail establishments which are in excess of 7,500 square feet or have eight or more employees to serve the public have to meet these criteria—we have already established they can all meet those—and then they have to meet one of these other ones: "1. Is recognized for its historical features or distinctive architectural features." The Eaton Centre is envied all over the world. It obviously qualifies as a distinctive architectural feature. I do not think there is any question about that.

Presumably what you have to do, when you are building your mall, is have some kind of unique architectural feature in it. The Ghermezian brothers can tell us how to do that, except they all want to build in the States where they do not have to worry about the excess government. So I think most could qualify for that. Not everyone will be able to meet the historical feature criterion there. I doubt that everybody can drive through that one, but you need only one of these.

"Features items of cultural or ethnic appeal." I am sure the Eaton Centre has a hunk of soapstone somewhere in it, so now it is in. I checked around most stores. In North Bay there are all kinds of stores. I know in Shoppers Drug Mart you will be able to find some kind of cultural or ethnic item and if you cannot, if you want to open on Sundays and sell the other 99% of your products, you are going to do good well make sure one of your 85 million products is a pair of nice hand-sewn moccasins. It might improve business for the natives in Ojibway band 10 in Nipissing. So it might do something there, but you could drive a truck through that one.

"3. Provides specialized goods or services, such as heritage or handcraft items." It is not too tough to do that. Canadian Tire can make sure that at least one of its 85,000 items is a heritage or a handcraft item. They can drive a truck through that. They have to meet only one of these criteria anyway.

"4. Provides goods or services necessary to tourist activities in the area served by the establishment." I assume

shopping is a legitimate tourist activity. I do not know why else you have the tourist exemptions. If there happens to be a tourist anywhere, any time, who finds his way into Sturgeon Falls or North Bay, the store had better provide some goods or services that would be necessary to tourist activities. I guess if you sold charcoal briquettes, that would qualify, so everybody just has to sell those. Unless the minister is going to legislate that Shoppers Drug Mart, Canadian Tire and other stores have to limit themselves to those products, they cannot actually have products to serve tourists so they can meet the criteria. Maybe we are going to go that far with the legislation.

What we have here is an absolute joke. What we have here is the same as the Liberal bill with some excuse that there are some criteria here. What makes this even worse than the Liberal bill is that the government has set itself up and said: "We've done something. It's different." You have misled, in my view—

The Deputy Speaker: Order. There are many other words in the English dictionary. Would you please withdraw that word?

Mr Harris: This legislation, in my view, will mislead many people into believing that there is a common pause day.

The Deputy Speaker: Order. Would you again withdraw that word "mislead"?

Mr Harris: No, I am sorry, I will not, Mr Speaker. "This legislation will mislead many people into believing," is what I said, not "this minister," not "this person," this legislation is what I am talking about.

The Deputy Speaker: I think the leader of the third party knows better and will withdraw that word. I will ask you to do so.

Mr Harris: If it makes you happy, Mr Speaker, I will withdraw it.

Many people, after listening to the minister, will believe there will be a common pause day and there will not be. Many people, after listening to the minister, will believe this is a province-wide decision and it is not, it is a municipal decision. That is the disgrace of it.

When the minister introduced the bill, the groups that responded—and he will quote back all the groups that are happy with the bill because they read the minister's statement that said, "This bill will do this, this, this and this." People said, "Good, that's what we want." But now when they look at the bill they see it does not do all of those things the minister said it would do. Now they are saying, "We don't like the legislation." That is why I am dealing with the specifics of the legislation and pointing out why the statements of the minister do not jibe with the actual legislation and the bill that has been brought forward.

I asked a number of questions in this House. I asked the government if, during the period where there was no legislation in place, where it was ruled unconstitutional—we had nine months in this province of self-regulation. Self-regulation is where those stores who wished to open could open and those who did not, did not. It did not require the courts, it did not require the police, it did not require hordes of bureaucrats, it did not require lawyers, it

did not require anything; it was self-regulation. That was the first time in Ontario's history we had that period of time.

I said: "This is new information. We did not have it 20 years ago or 10 years ago; we did not have it when the Liberals brought in the bill; this was new information. Have you analysed what happened in this province? First of all, was there wide-open Sunday shopping without any legislation?" No, there was not wide-open Sunday shopping. Those who wished to open, opened; those who did not, did not. Many communities, districts, areas of the whole province did not open because they did not wish to. And they did not feel they were forced into it to keep up with the Joneses or this business or that business, they just made the decision and it worked fine. It cost nothing: no police officers, no judges, no lawyers, no legislators, no bureaucrats, nothing.

I asked the government if it did any analysis. It said: "No, we don't want to know that; that might make common sense. Don't bring us that, we want to hire more people, spend more money, tie up the court system, get the police involved. We want to pretend we're doing something. We want to show the people we're bringing in legislation." If it works on its own, my gosh, would that not be terrible? We would not need government if more things worked on their own. I scratch my head at that because that makes no common sense to me, absolutely none.

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I asked them if they had analysed church attendance. I mentioned that because a number of churches have raised concerns about Sunday. Obviously they are not the churches or those religions whose holy day is Saturday, Friday or another day. They are the traditional Sunday ones. I asked the minister whether he had done any analysis or had any information available on church attendance. I remember reading one article in the paper where my understanding was that church attendance went up 1% during that period. I know there was an exhaustive study done in Vermont where they went to self-regulation—you could open if you want or not if you want. There was no Sunday closing law and church attendance went up in Vermont. I thought that was important information for us to have if one of our concerns is the ability of people to worship on their day of worship. The government has said, "That is Sunday, folks"—but on any day.

Then I go back to the legislation. For every full-time retail worker to be able to choose their day I say, does that accomplish it? I think it does. I think if every retail worker has the choice—virtually all of those who wish to open on Sunday have said: "We agree, that is no problem because many thousands of people want to work on Sunday, and even thousands more who have been thrown out of work since you rascals took office, that that is not a problem for us and we want to accommodate our workers. We are happy to have that." I asked if the minister had done a study or analysis of that. He said no. He did not care, that might make too much sense.

I have come to the conclusion that what we are dealing with is not legislatable and I think the minister has come to that conclusion too. He promised a common pause day. He

is going to shut them down on Sunday and now we have a bill saying, with regulations you can drive a truck through, here is how you open on Sunday if you want. I believe he has come to the same conclusion as I have. I am prepared to acknowledge it, admit it and come forward and tell it like it is because the Liberals could not draft the bill for a common pause day. They tried to pretend they could and this government has not been able to draft a bill either to provide for a common pause day. What it has drafted is going to be expensive. It is going to be unfair. We are going to have some stores open selling exactly the same products as stores across the street or in another town that cannot open. There is going to be this patchwork effect. Eventually it will lead to all municipalities having to open or they will not have any retailers left.

I believe the government should look at the experience of the nine months of self-regulation and it may have to overcome some philosophical barrier these socialists seem to have that if government does not run it, legislate it; if there are not a whole bunch of bureaucrats required, then it cannot possibly work on its own. This government has to overcome that. I encourage it to think about that and see if it can overcome that philosophical problem I believe it has and use its head and common sense and think about what will work and what will not work. If the government does that, I believe it will be honest with people and up front. I think it will get great credit for that. I have not seen this party do that yet; it is about time it figured that out. That is one of the main reasons the public is so fed up with all of it.

The government will save a lot of money. It will save municipalities a lot of grief. It will free up a lot of court time. I suggest our justice system is on the brink of chaos when it comes to the amount of time available in the court. We see the kinds of people who are going off scot-free because the court system is so clogged up. We will free up a lot of police time. We will free up a lot of bureaucratic time. We will free up legislative time. We will save a lot of money and we will have the exact same result at the end of the day with a lot less unfairness.

It will be cheaper, more efficient, more fair, and I think the government will accomplish the same thing. In fact, I believe that if the government passes this, five years from now there will be more stores open on Sunday than there would be if the government left it to self-regulation. I think the government will find that. If it actually examines some other jurisdictions, it will indeed find that being open has not been the panacea many of them thought. They had a choice, and they did not have to do it to keep up with the unfairness of market share of others. They did not have to do that.

I have not even talked about cross-border shopping and the difficulty in border communities because I agree with the government on one aspect: that Sunday shopping is not the total problem. In fact, if we could address the issues and the problems it may not be that significant a factor, although there are still a lot of people who would like to shop on Sunday. If we could get our act together and prices on the US side were higher than ours, I still think they would shop on Sunday for the enjoyment, for the

outing and that is their day. Some will, but surely not what is happening today.

To compound this Sunday shopping problem, created by federal, provincial and municipal governments with all their taxes and regulations where we cannot compete—we are not on a level playing field—by saying to border communities, “We expect you to shut down on Sunday unless there is some compelling reason”—I do not agree with the government’s premise. Even though that may be the government’s premise, its bill does not do that. You can drive a truck through this, if those municipalities want to open.

I do not want to go on any further. I could bring up the real estate industry and rumours, maybe not true, that somebody directed the police to start shutting down some of the offices on Sunday. Many of the real estate agents up any way are dealing with recreation property; people are not free to go and see it, to deal with it, to come into the office to talk about it, unless it is on the weekend—a time-honoured tradition.

If you look at any newspaper—when are all the open houses? They are on Sunday. Why do the real estate offices have their open houses on Sunday? They do not want to work on Sunday. That is when people want to go and shop around and look at houses. Is the government going to shut this down? I do not know. You get into border communities, I guess—they are going across the border to live anyway.

One of the most shocking things—I digress, but I am going to do it anyway—to me was the number of calls from the Ministry of Transportation employees in anticipation of their transfer to St Catharines, inquiring, “Could we still work for the government in St Catharines at MTC and buy a house in the United States and live there where we can afford to live a lot cheaper?” Go ahead and check it, ask about the number of employees who inquired about that.

The real estate industry made me think about that, because in our whole combination of taxes and regulations we are not competitive there either. We are not competitive with Quebec, and people in Ottawa are flocking across the river. They want to live in Hull because it is so much cheaper, the taxes are so much less. The businesses want to locate in Hull because they have a chance to make a buck there. They have a government that says, “We want you to be profitable and successful and make some money, because we know that’s what employs people,” whereas we have one that says, “No, if you actually beat us, if you get through all our legislation and all our taxes and you make some, we just want you to know we have some idea of how we can get that money back off you anyhow.” And the government wonders why they do not want to set up business here in Ontario.

700

This legislation is wrong, expensive and ignores what I think is the most commonsense, logical solution that costs no money, frees up resources for other areas and in the long run will lead to less Sunday shopping than this legislation will. It would be fair if we left it to people to open if they wish with the labour legislation I have proposed and

talked about. That is actually even stronger and more encompassing than this government’s legislation, because I am concerned as well about the seven-day-a-week pace.

I believe there is great value in having a pause day for workers, for their spouses and for their families. I ask the minister to take a look at that part of the legislation and see whether he cannot accommodate those millions of people for whom Sunday just does not happen to be the pause day that will allow them to be with their families and enjoy that day off in that way.

I will not support this legislation. I do not know where this will come down when all my caucus members have had a chance to look at it, examine it and see what changes the minister may be able to make. I know there are some who believe that anything as badly flawed and disastrous as this is better than nothing. I encourage my caucus members to express those viewpoints as they believe they should, representing the wishes of their constituents.

I regret that once again we are going to spend I do not know how many hundreds of thousands of dollars travelling the province, having hearings again and rehashing a lot of the old things this party and this minister fought so hard against over the past number of years.

I want to be clear on the changes to the labour legislation, which I think will be very difficult. If the minister actually comes up with something that is enforceable in a commonsense way without hiring another 100,000 police officers or labour investigators to enforce it and it makes sense, I will support that. I believe it will be difficult to have something that is 100% enforceable, using commonsense enforcement procedures, but I think we will cover 99% of the employees and of the employers. I think the will and goodwill are there not to have anybody work on Sunday who does not wish to. I cannot imagine employers in the retail business wanting employees working in their stores on Sundays when they do not want to be there. I do not know anybody who wants that.

I also know there are hundreds of thousands of people looking for work, and some 200,000 more since this government took office, who will be very happy to be able to work on Sunday.

Hon Mr Farnan: From the concluding comments of the leader of the third party, it is obvious he has presented his personal views on the matter and not those of his party, whether or not the third party at this particular stage has a view on a vital, critical issue that has been facing the province for many years.

There is a difference between previous administrations and this government. The Conservatives, in their time, did look at this issue, but they refused to define the critical and tough definition of a tourism exemption. The Liberal administration addressed the issue by washing its hands and simply saying, “The municipalities can have unbridled and unrestricted exemption for open Sunday shopping.” On the other hand we said, “We want balance; we want fairness; we want to work with the municipalities and we are going to have local sensitivity, local responsiveness and provincial responsibility by providing provincial guidelines.”

An hon member: That is leadership.

Hon Mr Farnan: Indeed it is leadership, because we are not running away from the tough issues; we are making the tough decisions.

I want to talk about one area on which members from both parties of the opposition have made comments: enforceability. We believe the absolute right to refuse work is enforceable. Workers believe it is enforceable because we intend to enforce it. Employers will know it is enforceable because we intend to enforce it. Workers and employers know it is enforceable because it is the clear commitment of this government.

Just because something is difficult to do does not mean one runs away from it. That might be the style of previous administrations, but not the style of the New Democrats. Because it is difficult, we will face it squarely and enforce this aspect of the legislation.

Mr Grandmaitre: I find the comments from the leader of the third party, trying to compare our legislation to the NDP legislation, very strange. I realize that for 43 years the Tories did not know where they stood on Sunday shopping. They brought in legislation and let it lie. Now they are proposing self-regulation. This is the first time in six and a half years that I have listened to the Tories saying it should be self-regulated.

At least we had the honesty and distinction of bringing in legislation, and now that the new NDP government is trying to amend this legislation to make it more palatable, I find it very strange that this minister, the member who criticized the former administration for passing on more responsibilities to municipalities, is again pointing the finger at municipal councils and municipalities to become much more forceful with no—

Hon Mr Pouliot: Partnership.

Mr Grandmaitre: —appeal process. I do not call this “partnership.” One will have to go before the courts. I ask the minister, who will pay court costs? The municipalities again, or will it be the individual business person? I think the government has put more responsibilities on municipal governments, and I am sure that after consultation he will find municipalities do not need this type of pressure.

Mrs Marland: It is unbelievable to sit in this House this afternoon and hear the Solicitor General talking about “the clear commitment of this government.” If there is one thing that is unclear in this province today, it is about any commitment of this government to anything. This legislation further endorses the fact that the public has been betrayed by this government on every single issue in its Agenda for People. Every time one of the ministers gets up and makes a statement, it is reneging on all of those promises in the Agenda for People.

When this particular member for Cambridge or any one of the people in this House stands up and says, “Oh, the workers will be protected; they’ll have a right to refuse work,” how is it that they were so adamant that we needed legislation to protect the workers in the last session of this Parliament? It is unbelievable that they can say what they are saying today and think the public is going to believe them. It is an insult to the public, which fortunately, at the earliest opportunity, will be able to tell this government

that they are not being fooled by the misrepresentation of policy and by the fact that the government is now suggesting there is a partnership with the very municipalities which this government knows passed a resolution asking not to have the responsibility for Sunday shopping. The Association of Municipalities of Ontario passed a resolution four years ago and reconfirmed two years ago that they did not want the responsibility for Sunday shopping.

1710

Mr Mills: I am very pleased indeed to rise here—

The Deputy Speaker: This is questions and comments.

Mr Mills: I beg your pardon, Mr Speaker.

Mr Harris: I thank all those who commented. The member for Durham East was very pleased and what not to hear my remarks. I appreciate that. I thank the member for Mississauga South, who I thought was right on and marvellous in her comments, remarks and understanding of what I had to say.

The member for Ottawa East, who I see is moving on, wants to know why I as leader of this party do not have the same policies my party had 50 years ago. I do not apologize for that. Times have changed; the world has changed. What worked 50 years ago is not working and will not work today, particularly in this area. I do not make any apology for not having that position.

The minister says he is really proud that he addressed this issue head-on. Everybody knows you can drive a truck through the silly guidelines he says represent the definition of a tourist area. There is no municipality and no store under these guidelines that cannot open if they wish to open.

With reference to the minister’s comments, I leave him with this thought: If he has met his commitment for a common pause day—he said he had a commitment and this lived up to it—why does he need labour legislation so they do not have to work? If his labour legislation is 100% guaranteed enforceable, and this is a Sunday working issue, why does he need the other legislation because with this bill, not one person in the province who does not want to will ever have to work in retail on Sunday? What more could the minister ask for?

Mr Mills: I apologize; I always seem to be jumping up at the wrong time. It is indeed a privilege and a pleasure for me to stand here today in support of the amendment to the Retail Business Holidays Act.

During the election campaign I spoke at every opportunity of my commitment to the common pause day. I spoke of my commitment as I knocked on doors and at all-candidates’ meetings. I never wavered in that commitment and I am not wavering here today. At that time, I must say I was supported by many people in that stand. I think that support is reflected in the fact that I am here today, because I do not have to tell the members of the third party that Durham East was held for many years by the Conservative member, who stood aside after some dispute with the leader, I believe. Nevertheless, I am not taking away from the fact that my support of this common pause day actually helped to propel me into this Legislature.

With the introduction of the Retail Business Establishments Statute Law Amendment Act, our government is taking a leadership role in a matter that affects the quality of life for all Ontarians. When we speak about the quality of life, I think back to my own childhood in England. In those pre-war days, my father was required to work for six days a week.

Mr B. Murdoch: Are you going to tell us all about this?

Mr Mills: I think it is important. It tells members a little bit about where I am coming from on this issue.

He worked six days a week all year round and on Sundays we regrouped as a family. We all got together. We did not have much money but we did things together. We walked along the Brighton beaches, where I was brought up, and sometimes we cycled into the country. We picked blueberries and we picked primroses in the spring. We enjoyed each other's company and we grew together as a family. I think that growing together as a family has stood me in good stead in my life. I am very proud to say here today that I have been married to the same lady for 44 years, and I like to think that the family commitment in those days when I was growing up has helped me to where I am today.

Later on, the war came and of course our working habits changed. I remember personally having to work every Sunday for seven or eight years. As every Sunday came and went, I would often think back to those times together and wish we could get back to having Sunday off and being together as a family.

The issue today is no different from what it was then. Families really do need time together, time to regroup, time to grow as a family in the turbulent times we live in. The times are laced with a fair dose of broken marriages, broken homes, tension and stress, and a common pause day will go far to relieve some of those things I have touched on.

The issue of Sunday shopping continues to both divide and unite the people of Ontario. Religion, family values, economics, labour, multiculturalism, regionalism, nationalism and other important aspects of life in Ontario all play a part in the public attitudes towards Sunday shopping. This is an emotional and a contentious issue. In fact, in the history of Ontario perhaps no other single issue has generated as much correspondence between the people of Ontario and the provincial government.

Recently I looked back into the historical record of Sunday regulations in Ontario and I found that back in 1845, a Sunday observance law was passed in Upper Canada which banned virtually all activity but churchgoing and certain works of necessity and charity.

My friend the member for Markham is not here now. He is a Presbyterian, I believe a Presbyterian minister previously, and he would appreciate this. The Presbyterian church lobbied effectively and successfully to ban the Sunday use of streetcars. I do not think the member was actually involved in that vote.

I am sorry, Mr Speaker. I have just been passed a notice that I should be in the justice committee for a vote. I am torn between two things.

In 1943, Toronto movie theatres opened on Sunday but only members of the armed forces could enter therein to see the pictures. That to me, you will appreciate, Mr Speaker, is rather a novel move.

I bring these facts before members today just to show that this issue has not suddenly crept up on us. It has been around for a long time, and it makes me think that if we live long enough, we will see everything at least once over.

In March, the Ontario Court of Appeal confirmed that the Retail Business Holidays Act is the law of the land. It has withstood Constitution challenges and now offers the framework from which to provide a common pause day while improving protection for the rights of retail workers in Ontario. Through this decision—

Hon Mr Allen: On a point of order, Mr Speaker: Would it be appropriate to ask the unanimous consent of the House to allow the member to attend the justice committee and the rotation to continue and he can resume his place in the order at the point where he has left off?

The Deputy Speaker: If there is unanimous consent, the Speaker is always agreeable.

Agreed to.

Mr Mills: I would like to thank all members of the House for their generosity. I will bid them adieu and I will be back.

Mr H. O'Neil: Of course we are very pleased to agree with that. I think when a member is called away for an important vote like that, it is only right that he should be allowed to make the points he wishes to make on such an important issue.

I might also say that—

Hon Mr Pouliot: Are you not on the same committee?

Mr H. O'Neil: Does that mean the minister does not want me to speak on this issue? Could I have unanimous support that I could go ahead on it?

I will not speak very long on this, but it is a very important topic, one I know our government and previous governments and now this government is trying to find a solution to. But I do not really believe that this particular bill, in the way the minister has introduced it in the House, is going to solve many of the problems we have. I know our member from Scarborough North had a lot of very important things to say about the bill, as many of the other members had also.

I think what is going to happen in this particular bill is that a lot of municipalities and people in the province have not really had a chance to look at it yet. When they do see some of the problems it is going to cause, not only for the municipalities but also for many of the small and larger businesses, they are going to be very upset.

Of course, the process here in the Legislature is that we have had first reading, we are going to go towards second reading and then it will go to committee. I understand that people will be able to appear before the committee this summer and will be able to present their different points of view. I think the minister is going to find that many of the

municipalities and many of the business people are going to have a lot of suggestions and are going to ask for a lot of changes to this bill.

One of the problems when we look at this, and one of the problems we had, leads me to ask the minister, when I have completed my remarks, if we could have him really define what tourism is. We had problems with this and I know that he has had problems, both he and the Minister of Tourism and Recreation, trying to define what exactly tourism is.

We have that problem in the Belleville and Trenton area, in the Sidney township area where I am from. Our legislation, which I think was good legislation, whether people liked it or not, did turn it back to the municipalities. The municipalities feel that in many issues they want to be able to make the decision as to what suits their area. Many of them, even in my area, were upset. They did not want this thrown back on them. But after they have a look at this legislation and some of the problems that could arise from it, they are going to wish they now had the legislation that was put forth by the Liberal government.

Where Belleville, Trenton or the Sidney township area were going to be able to decide what they wanted to do, now they are going to have to look at these different regulations and the things this government has put forward as to whether or not they fit into this area. Of course, the conflict comes where in our area they may have turned down the tourism area, but we have an open area over in the Picton area, in the Prince Edward area. The minister in his regulations is going to have to define what a tourism area is. When can it be opened up? When is it going to be closed? He has to try to make everybody happy, and it is going to be very, very difficult.

Another thing the minister talked about is a common pause day. This legislation is not going to give a common pause day. There are going to be people in different areas who are going to define what a common pause day is. I am going to ask the minister also, besides defining what a tourism exemption is, what does he define as a common pause day?

I believe too, when the minister first brought this legislation in, he was asked on several occasions to come down to specifics. I am going to ask him to be specific about the Trenton-Belleville-Sidney area or why it is different in the Picton area. The minister was asked on several occasions about the Toronto Eaton Centre. Where will it fit underneath his rules and regulations? I am also going to ask the minister to touch on that if he possibly can.

Again the problem is going to arise, if a municipality fails to interpret the tourism criteria in a manner consistent with the provincial direction, what is going to happen? I believe what is going to happen is that the minister is going to have the different municipalities, the ones that wish to take a more open view of what a tourism designation is or again, looking at the regulations, the interpretation of this legislation is going to cause a lot of problems within the different areas of the province.

There are going to be some, if I can use the word, a little more liberal designations of these areas. People are going to come forward and possibly appeal it to the

government, if that is where it going to be appealed to. Whether they be church groups or other tourist businesses or other businesses within those different areas, they are going to appeal it.

What I am afraid of is that the minister is going to have a lot of problems that he is going to create for himself. When this does come before the committee that is going to be looking at it this summer, these are some of the things the minister is going to have to look at, and I hope the minister has an open mind. As I say, it may be that he is not going to be as critical of some of the legislation we brought in.

What we all have to really be concerned with is that—I have been up on several occasions over the last several months as the Liberal critic for Tourism and Recreation when I, hopefully in a very constructive way, questioned the Minister of Tourism and Recreation and the first minister and the minister of finance. The tourism industry at the present time is having some very difficult times within Ontario. We have mentioned some of the issues that the government brought in with the new budget.

Likely some of the things we did too placed a heavy load on the tourism industry in the province, but the government has placed an greater load with its additional taxes on liquor and gasoline. It is becoming very difficult for the tourism industry to attract tourists from all over the world, especially from the United States where we should really be doing some extra program to bring those people here.

I mentioned earlier today one of the tourist operators I spoke with last week when we were touring eastern Ontario. A very large tourist operator, along with other people, he is working very hard to attract tourists from the United States. He mentioned that his numbers were down. Where he used to have 47% of his business from the United States, I think now that was down to about 3%.

We have to do everything that we possibly can through assistance from the Ministry of Tourism and Recreation and from the Treasury and from the government in general. That is why this legislation has to be looked at very carefully. We do not want to place any additional burdens on the tourism industry and, as I say, it is going to be up to the minister to say what tourism is, how that fits underneath these different regulations.

I am not going to go on too much longer. We have had different cases where the government has introduced legislation. They have not been as open as I feel they should have been to look for changes in the legislation. I hope that even though the minister has drawn up this legislation, he will still have an open mind and be ready to assist those in the tourism industry, and yet look at those who are looking for a common pause day.

1730

Hon Mr Farnan: First of all, I commend the member for his non-partisan presentation in the House. It is typical of the member for Quinte to address the issue. Second, I want to say to the member that when he said, "You know, our old legislation, the Liberal legislation, it was good legislation," that is a relative matter. What was the purpose of the legislation? If the purpose of the legislation was a

common pause day, then it was bad legislation because it was given to the municipalities with unbridled, unrestricted power to make any exemptions whatsoever.

We have instead taken a principle of working with the municipalities, with provincial guidelines that provide for tourism exemption. We recognize tourism as a significant economic cornerstone of society here in Ontario. Over 15 billion worth of tourism is attracted, and because the member has the experience, he recognizes that important fact.

What we have done, I think, is we have combined two things: We have the local knowledge, expertise, sensitivity and aspirations in terms of tourism and we have put in place a provision for legitimate tourism exemptions. This goes along with provincial guidelines which provide the kinds of partnerships and the kind of balance missing from previous legislation. This is a very tough issue. We are not talking away from it. We are working with the local municipalities; we are providing provincial guidelines. We are not only going to allow the maintenance of tourism but are working to promote tourism under this legislation. I think we have found the right balance.

Mr Daigeler: I want to comment a little bit on what the Solicitor General has just said and also what the member for Durham East said in relationship to the member for Quinte. I have been looking very carefully at this bill, and quite frankly I cannot see in substance any difference between what our government introduced and what the new government is putting forward. In practice, it will lead to the same solution.

For the government party to say in a rather sanctimonious fashion, "We are instituting again a common pause day and it's very important to have that day"—with which, by the way, I agree—"and we have all of a sudden found the magic solution and we have got the right balance," I think really the minister himself, in his heart, knows better. What we are looking at is just about the same solution we had found beforehand: there will be some areas that will decide to be open and others that will decide to stay closed. That is really the sum total of it. Whether the government calls that the municipal option or calls it the tourism exemption, in substance it is the same thing.

I would like to ask the government and the minister in particular why they do not just come clean on this and say they have tried the same way we tried, but they were not much smarter, because it is a difficult problem, because there are different expectations across the province. Whether we call it municipal choice or tourism exemption, the end effect in both cases is the same: some areas, if they so decide, will be open and other areas, if they so decide, will be closed. I think that is the sum of it. Let's forget about the rhetoric all around it, because that is the effect of this legislation and that was the effect of the previous legislation.

Mr Bisson: Just a couple of short comments. First of all, I have a lot of respect for the member sitting directly across from me, the member for Quinte. In my short time here in the House I think we have had a couple of really interesting exchanges. I know the member to be one who

is very honest and decent in his approach when dealing with these things.

That is really the point I want to bring forward: that at times in the House, yes, we do get partisan, we do get into some difference of philosophies on different things, but there are ways in which we are able to deal with that. I am not the minister responsible, but I think I would be safe in saying that these issues the member raises are issues that are felt by a number of members and things that would be brought up in committee. Certainly we would work together on that.

That is the only point that I want to make. At times we find this House to be somewhat partisan in the way that we approach things, and I guess there is room for that and there is a reason, but it is refreshing now and then to see a member get up and to speak on the issues and do it in a way that really brings out what the points are and what the concerns are on a particular bill.

Mr H. O'Neil: It is a very difficult issue. When I was the Minister of Tourism and Recreation we used to try to grapple with this thing. But the minister is going to have this conflict between what is a common pause day and what is a tourism designation. He is also going to have this conflict between municipal councils that are looking at these decisions and with these regulations.

I think that he should be more open with these regulations and guidelines that he is developing even now. He should be asking for input from the different parties and from people right across the province. I think he should include people—whether they be clergy or people who are in the tourism business or the retail business—and hopefully come up with a solution. It is going to be very difficult to do. I have to ask again that he keep an open mind on this, not only he but the Minister of Tourism and Recreation. During these hearings, make sure people are given the chance to give their views and hopefully come up with something that everyone can agree with, but it is going to be very difficult.

As the member from Nepean mentioned, the minister keeps stressing—and I am going to be a little partisan here—that this is an improvement on it, but there is not that much difference. We will see what happens during committee hearings.

Mr Arnott: I am very pleased to rise this afternoon to speak to Bill 115, an amendment to the Retail Business Holidays Act. The purported principle of this bill seems to be the government's indication that it supports a common pause day very strongly. During the course of my election campaign a few short months ago, I spoke very positively in that regard as well. I said many times that I strongly believe in keeping Sundays as a day of rest, a day for worship and indeed a day for families, as best we can. There are other legitimate points of view that were brought forward and we have to respect those, but at the same time I think we have to attempt, as much as possible, to ensure that Sundays are kept as pause days or days of rest, however one wants to refer to them.

As I say, I acknowledge very much that we cannot shut down a lot of activity on Sundays. There are many essential

services that are required on Sundays. But I feel that retail stores for the most part are not required. As a former retail store clerk myself, I think I have some perspective that I could add that has not been mentioned so far. While I was in university I worked as a retail store clerk in my own home town on Saturdays and occasionally through the week as well. If there is going to be any legislation with respect to this issue, there has to be protection for those workers to ensure that if they do not desire to work on Sundays they are protected and they are not forced to do so.

I have some measure of reservation, reading the amendment to the Employment Standards Act that will go along with this bill, whether that will be accomplished. I think it is extremely difficult for us to legislate successfully in this area and in a manner that can be enforced, because there are subtle means of ensuring that a retail store clerk does what his employer wants. I would expect that to happen quite a bit in spite of this bill.

When I look at my own riding with respect to this bill I think of places like Arthur or Rockwood or Erin where we have a great many small stores owned by families, often a man and his wife who have operated the store, often for many years, and they run it as a family operation. Sometimes their children work for them; sometimes they are able to hire one or two employees, sometimes not. If competitive pressures force them to open on Sundays because, for example, stores in Guelph may be open, that will in one bold stroke eliminate their family day. I see that as being nothing but harmful to some of the values that we hold dear and that we have held dear over the years.

1740

In the consultations I have had with people in my riding, including clergy, municipal heads of council, and retailers, they look at the purported principle of this bill, that being a common pause day with provision for a number of tourist exemptions, as being admirable and something they support. I certainly, as I say, concur with that. We get back to whether or not this bill accomplishes this.

I think it was highly unusual that this information was briefed at our caucus meeting two weeks ago on Tuesday. Part of the information that was given to us also was a historical chronology of the holiday shopping issue in Ontario. As the member for Durham East, who has not returned yet, alluded to, this issue goes back to 1845.

When in Upper Canada the first Sunday observance law was passed, it banned virtually all activity but church-going and certain works of "necessity and charity." That is a truism that maybe we should return to from time to time and look at whether more of that sort of a truism cannot be applied to our own Sunday shopping legislation.

Every few years there was a new development with respect to Sunday shopping or activity on Sunday. We go through to 1906: the federal Lord's Day Act was enacted and made it illegal to sell or offer for sale any goods or property, transact any business—commercial business, I assume—engage in a public game or contest for gain, be present anywhere other than a church at which any fee is charged, and so forth.

We go on to 1922: Ontario enacted the One Day's Rest in Seven Act.

We go on to the war years when certain exemptions were made. Interestingly enough, servicemen were given special consideration for attending movies, which was very unusual and ended in 1945 at the conclusion of the war.

When we get to 1950 we see Premier Leslie Frost talking about how the Lord's Day Act of his day was going to be a positive initiative. He talks about putting the issue in the hands of the people and the elected councils. "There is nothing wide open about this act," he says. "It does nothing to induce any community or change its way of life. It enables the people to settle their own affairs in their own way."

There are any number of additional developments. Today we are at 17 June 1991. I would suspect that irrespective of how this debate goes or how this bill goes in terms of its passage or the amendments that may be attached to it at the committee stage, this will not close the books on the Sunday shopping issue. We will continue to wrestle with it, I am sure, and hopefully in a positive vein for the families of Ontario.

I do believe the vast majority of the people in my riding of Wellington support the concept of a common pause day, a common day of rest, for worship, for families, with the provision for tourist exemption. In our riding in the village of Elora, Mill Street is a wonderful tourist area. It has been open for many years without problem, without dispute, without any complaint that I have ever heard. I think a lot of people in the area, while they support the common pause day concept, realize that the great majority of the retail business that is done in Elora is done on weekends and specifically Sundays when we have a lot of tourist traffic from the city.

Also, in the centre of the county, in Fergus, we have the Fergus market, which has for many years been open under the tourist exemption of the former Sunday shopping law, providing a very important service and employing a great many people. Again, to my knowledge, my predecessor or myself, we have received no complaints with respect to that.

So I think that the purported principle of this bill would be, by and large, by the people of Wellington county, something that most people would support. As I say, during the election campaign on many occasions I felt strongly enough to make this an issue. There is a quote that appeared in a news article and was attributed to me, which I indeed recall stating: "I strongly believe in keeping Sunday a common pause day. Wide-open Sunday shopping will have a harmful effect on the family lives of many people in Wellington and I oppose it."

I would like to say a few words of comment about what my leader indicated earlier. I think that what he said about our party's position on this, that there are different viewpoints within our party and that we acknowledge them up front, is something that is extremely commendable, something I have not heard the Leader of the Opposition or the leader of the government indicate publicly, that he is willing to allow the virgin points of view from his

caucus to come into this public forum, allowing members of his caucus to represent the views of their constituents as they see fit.

I think that is a great indication from our leader that he respects our views. He respects our abilities to judge what is best for our own constituents. That goes beyond what we have seen, as I say, from the Leader of the Opposition or the leader of the government. I think it shows great statesmanship and leadership.

When I get to the specifics of the bill, I find that it is extremely complex and convoluted. When I was speaking with some of the people in my riding, they were not sure about the specifics. That is something that gives me great reason to speak with caution this afternoon, because while I support the purported principle of the bill, I have many concerns about the specifics.

My party leader questioned whether the objective of the bill is in fact met. I am not convinced it is. The question was raised whether this bill is enforceable. We have had the assurance from the Solicitor General that in fact it is enforceable and that it will be enforced. Frankly, I have some measure of reservation about that.

Sunday work is the issue, as my leader indicated, and I concur with that. Some of us would work very passionately and hard to give as many people as possible the opportunity to not work on Sunday, if they feel that in their own circumstances and their own family life they would prefer to take that approach.

There are very loose tourist criteria. I think the Solicitor General might even admit that himself. They are extremely loose. It has been said that you could drive a truck through those criteria. I find that there will be very few areas of the province that if they wish to declare themselves tourist areas, will not be able to find in those criteria some situation that is applicable to their area that allows them to open.

There is probably a case to be made that this bill does not go far enough if you think strongly that a common pause day should be adopted and that people should not be forced to work on Sunday. I am personally giving that a lot of consideration as I determine how I am going to approach this bill.

Another measure I would like to raise that has not been raised as yet is the concern that may be raised from business improvement associations and local chambers of commerce that are brought into this in a way that they may have to endorse or reject Sunday shopping. It may be extremely difficult for them to do that. Once again it appears to be a degree of abdication of responsibility from the provincial government level.

The issue of cross-border shopping has been raised in this debate. In my own personal circumstance, in spite of the fact that we are a good two to two and a half to three hours away from any border, I know there are probably a number of businesses in my riding where I am sure some retail business has been lost to people electing to go south on weekends.

My personal view is that in no way does Sunday shopping in Ontario or the further proliferation of Sunday shopping in Ontario in any way restrict people going south

when they want to shop. It is my feeling that cross-border shopping is more a function of price, the lower price for a number of goods in the United States, than actually the convenience of Sunday openings. It is something I noticed on the weekend, the fact that in some cases in the stores in the United States, according to some of the consumers who partake of cross-border shopping, they find that they have more staff and that it is somewhat more convenient at times to get service down there. That is maybe part of the issue as well.

1750

Another thing that comes to mind is that is when I speak to someone who finds he supports Sunday shopping and does so for his own convenience, I often ask whether he himself would like to work on Sundays, no matter what occupation he has, and of course he is very reluctant to say that he would like to work on Sundays. They would prefer to have Sundays to themselves. They would go home and do whatever they want and they would shop if they felt that was appropriate.

I find that very difficult to deal with. I look at the issue in terms of our own place here. If we say that many stores should be allowed to open, or that any stores should be allowed to open beyond those that presently are open, how do we rule out that we should sit on Sundays, given that we have some leadership role? If we want to be true to ourselves and true to our morals, I think there is a case to be made that a lot of other people and a lot of other occupations should be open on Sundays. If we are going to expand Sunday shopping, I do not know that we, as a Legislature, can say that we are not going to be open on Sundays as well.

In summary, I would like to say that I am giving this bill a great deal of consideration. I hope my comments have been of some assistance in this debate. I urge the Solicitor General, as the bill goes to committee this summer, to be very open-minded with respect to the amendments that may come forward, because I think there is a great deal of room for improvement in this bill, no matter how one looks at it.

I look forward to the resumption of this debate and listening to more comments from other members.

Hon Mr Farnan: Let me say that it is very clear that those Conservative and Liberal members who come from rural communities, small towns and cities across the province will have great pressure upon them to support this legislation precisely because of the statement made in the House today by the member for Wellington.

Think about what he said. He has endorsed every solitary principle within this bill. He has endorsed the fact that we must work for a common pause day to protect families and communities. He has endorsed the fact that we must have protection for retail workers. He has recognized the fact that within his own community the tourism exemption is a legitimate exemption as we look to protect retail workers and as we work towards a common pause day. There is the fact that we have provincial guidelines to work in partnership with communities.

The member cannot have it every which way. The leader of the third party has this kind of attempt to wash his hands and say: "The Conservative party has no position on this issue. My members can go whichever way they like." Some people will say, "We want wide-open Sunday shopping," and other Conservative members are going to say, "We like the government's bill."

That is an abdication, in my view, of a responsibility of a party to address the issue and say: "How would you solve the problem? What would you do in government to address this issue?" Today every single principle of this bill has been endorsed by the member for Wellington.

Mrs Marland: It is really unfortunate that any one of us can stand in this House and have what we say misinterpreted, and it will be up to the member for Wellington to clarify what he did say this afternoon.

The part I really have difficulty with is the suggestion that this bill protects retail workers. Now give me a break. This member for Cambridge who is responsible for this bill knows better than anybody else that if you put off the responsibility for Sunday shopping on to municipalities, it becomes the very municipal option that this party, in opposition, objected so strongly to when the Liberal bill created the municipal option for Sunday shopping.

How this member for Cambridge can say today as Solicitor General that it protects retail workers is beyond me, when he sat in the opposition, as did all the members of the New Democratic Party. I recognize that we only have, I think, 11 members of the New Democratic Party in government today who sat in opposition when the Liberal bill was tabled, but they all cried foul because there was no protection for retail workers, no option for families to stay together on Sundays because they chose not to work, no guarantee those workers would not be victimized and discriminated against by their employers because they chose to spend Sundays at home. Yet today he has the gall to say this bill protects retail workers. We know it does not.

Mr Bisson: I would like to make just a couple of quick points. On one point the honourable member mentioned in regard to this bill, I grew up understanding this issue. My parents were self-employed in the retail sector and I grew up in the back of the store, trying to find some time for my parents to be able to do the things we want to do as children with our parents, such as going for picnics and just having some time to spend with our parents.

The whole idea of the common pause day and the whole idea of Sunday I understand because it is something I grew up with. If it had not been for the opportunity to spend some time with my parents on those Sundays, being able to do those things as a family, I think life as a child would have been fairly difficult. I understand what the member is saying. That is one of the reasons that I think many of us, throughout this Legislature and throughout Ontario, support the whole idea of common pause, because we understand what the family principle is all about and how going to all-open, seven-day-a-week shopping would somehow put that at jeopardy.

It would not put everybody at jeopardy; there is no question about that. There is no set family unit in regard to

any particular issue. What happens is that we need to make sure that we protect those people who have the opportunity and who do want to spend time with their families.

The second point I want to touch on very quickly is the question that was raised by the leader of the third party and was just somewhat browsed by the last member. That was the question in regard to why we need to put legislation in to protect workers. I think most workers out in the province understand why the government at times has to come in with legislation such as Bill 70 under the wage protection fund or with regard to being able to protect workers because of health and safety.

We understand that if there are not rules in the workplace and there are not rules in society to be able to protect our rights, because we do not have the voice that other people have afforded to them, our rights will be taken away and will be diminished in some way. That is the reasoning. What this bill does is exactly that: It gives the right to the workers to say, "If I do not want to work on Sunday, I have the right to refuse."

Mr Arnott: I am very pleased to have the opportunity to respond, particularly to the remarks from the Solicitor General. I am somewhat disappointed that he chose to take that sort of partisan approach, to try to paraphrase my remarks of some minutes into a brief two-minute comment that suggested I supported in principle the entirety of the bill. I think I mentioned a number of times, and I have it written down here, the purported principle of the bill. The question that arises in my mind is yes, I support a common pause day, but does this bill in fact accomplish what the Solicitor General says it does? That is what I have to look at very closely over the coming weeks or coming days involved in listening to further debate on this bill.

1800

The Acting Speaker (Mr Villeneuve): Further debate. The honourable member for Durham East, who had unanimous consent of the House to participate in a vote, may resume his participation.

Mr Mills: I really appreciate the indulgence of all members of the House. I think when I concluded my remarks I had got around to saying that the Ontario Court of Appeal had confirmed that the Retail Business Holidays Act is the law of the land. It has withstood the constitutional challenges and it now offers the framework from which to provide a common pause day while improving protection for the rights of retail workers in Ontario. Through this decision, we can now go forward with the stated amendments.

These new amendments will finally come to grips with the widely differing municipal bylaws. These are confusing and they are unfair to those who enforce the law and to those who want to also obey the law. It will also ensure a reasonable degree of uniformity and, in the end, clarity and fairness in the application of the law.

I was also very pleased to see that the amendment reaffirms that municipal councils should take into account the principle that holidays should also be maintained as common pause days.

Beyond the current attention of the common pause day issue, cross-border shopping and the plight of border municipalities have been linked.

Cross-border shopping is not a Sunday shopping issue. Cross-border shopping is a seven-day-a-week issue. It is due in part to the considerable effects of the strong Canadian dollar, perhaps part of the secret free trade agenda—it has been mentioned; we do not know, but it seems rather odd that the dollar remains so strong since the signing of that agreement—and of course the effects of the GST and the desire of many Ontarians to avoid paying the GST.

I have spoken to a number of people and it seems that most of the people who do cross-border shopping are more intent on not paying the tax, dodging the tax, than they are about saving money, even if the costs outweigh the benefits of the shopping, as long as they do not hand that money to the federal government. They seem determined not to allow their money to get into the hands of the federal Conservative government.

Life being what it is, we will never be in total agreement with anything, I suppose, as a whole. Nevertheless, I really do believe this amendment is an important step forward towards improving the quality of life in Ontario.

The amendments to the Employment Standards Act strengthen the existing right of workers to refuse work on Sunday. Once given royal assent, their right to refuse Sunday work will be absolute—legislation long overdue.

In recent weeks as I have gone about my riding I have asked many of my constituents what they think about this issue. I put the question to them, "Would you like to work on Sunday?" I must say I have had nobody reply in the affirmative. Some people qualify it. They say, "I wouldn't really want to work on Sunday," but absolutely nobody has come out and said, "Yes, Gord, I want to work on Sundays." I think that is significant. Most of us take for granted the right to enjoy that day of rest.

I know that in this debate there are many more of my colleagues here today who want to speak on this subject. With them in mind, I will terminate my remarks by saying that in the coming weeks, as a member of the justice committee, I will look forward to meeting Ontarians from all over this province and from all walks of life and from all opportunities that there are and I intend to listen to their comments on this important issue.

It has been said that this government, by introducing this amendment, is in fact turning the clock back. I refuse to see it that way. I think this amendment to the Retail Business Holidays Act is in fact turning the clock forward.

Mr Daigeler: Seeing that I said something about the member for Durham East while he was absent, perhaps I could repeat it for his benefit while he is here and say that while I respect his views and share his conviction about a common pause day, as I indicated to the Solicitor General before, I quite frankly do not see much difference in this legislation and our own legislation. As I indicated, you can call it municipal option or you can call it tourist exemption, but in the end it comes to the same effect. It leaves the possibility open—and probably that is the way it should be in a pluralistic society—it leaves the option open for a community that says it wants this possibility to do

that and it leaves other communities that say no, they want to stay closed, that possibility as well.

You can fine-tune the thing and say, "Our tourism exemption is just in very particular cases and under very strict regulations," but when you look at the guidelines that are being put forward and that the minister makes so much fuss about, they are so flexible and so elastic that you can really adopt any kind of exemption.

As I say, in effect it is the municipal option that we had in place before. I just do not think the member for Durham East should be that self-congratulatory for his own party in having found the solution to the Gordian knot. I think they have hit the same roadblock we did, that the opinion of people in this province on this question is divided and in a democratic society you have to make an adjustment to both groups.

Mrs Marland: When the member for Durham East started his comments, before he had to leave the chamber to go and vote, he was talking about how precious his Sundays were. He recalled growing up in England and what he and his family did with those Sundays. In some of those arguments that he gave in terms of supporting the preservation of Sundays and family life—and if we do not want to call it Sunday and we want to call it a common pause day for the sake of those people who choose to go that route, let's do it—I shared very easily a recollection of some of my own arguments against the Liberal bill on Sunday shopping, because of the fact that when that bill was tabled, first of all, it was totally opposite to what the people in the majority and those people represented by the municipalities of this province wanted.

If there is one thing, and I say this to the member for Cochrane South, that you cannot do and succeed, it is talk out of both sides of your mouth. I am sorry, but you can promise one thing, and if you do not fulfil those promises, never underestimate the public remembering. When this government talks about this bill protecting those people who choose to have the kind of Sundays that the member for Durham East was recalling growing up with his family, then this is not the bill that will give them that protection or that option.

Mr Bisson: Just a quick point. My mother told me something years ago. If they talk about you after, obviously you are doing something right. So I thank the honourable member.

1810

Mr Mahoney: I would like to follow along with my colleague from Mississauga South, but not in a terribly critical vein of the man who should be the senior citizens' minister in this Legislature. I respect that in the not-too-distant future, when he retires four years from now, when he realizes that the seat is not available to him to hold again, he will want to spend a lot of his time shopping on Sunday, and I am sure he will be supporting his community in Oshawa designating the entire community, and maybe just his home and his front lawn. They will put a sign up and call it a tourist attraction, "Gord Mills Lives Here," unless he has sold it. I understand he was moving to Florida when the election occurred and all his furniture

was in the van and he had to phone home and say: "Honey, unpack the van, we won. We're staying." I do not know. Maybe that will be a tourist attraction. It would seem to be one of some interest to those people passing through that community.

I find it fascinating, when we went through all of the filibustering and the debate over Sunday shopping, how this government has actually adopted, through the Solicitor General, the Tory method, with great convoluted additives brought on side to this legislation to make it even more confusing and more difficult.

We brought some understanding to it. We said to the municipalities: "You have the authority and the right to make a decision if your community wants it. We don't want you to mess around with trying to define that this store is a tourist attraction and this one isn't and this one's got cultural significance and this one doesn't. We want to make it simple. We think that you're elected and you're big men and women and you should be able to decide if that's what your community wanted."

What the government has now done is put the cat among the pigeons. No one is going to be able to discern what is properly defined in the area to allow Sunday shopping. They have just created a terrible mess.

Mr Mills: I would like to clear up a few things. My colleague the member for Mississauga West has indicated

that I am sort of a keen Sunday shopper. I am rather an old-fashioned type of fellow. I have never been an advocate of Sunday shopping, and even if I want something on Sunday, I can swear on oath to the member that I do not shop on Sunday. That is how strongly I feel about the day of rest.

Mr Mahoney: Careful; you may have to resign.

Mr Mills: No, it is true.

In response to my honourable friend the member for Mississauga South, she mentions that we have a piece of legislation now that really, the door is wide open. I do not subscribe to that theory. I think the criteria set in place in this amendment allow the municipalities to act in a very positive way and it reaffirms our position as a government that we can make this thing work. I am positive those criteria will lead municipalities along the road and that we can actually put some teeth into the legislation that the previous government, in its wisdom, saw not to put any teeth to.

I thank the member for the comments. I thank her for participation in my comments. With that I will close, and will just tell the member for Mississauga West that in four years' time, I do not intend to be in Florida; I intend to be sitting here again.

[Report continues in volume B]

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Bande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Ellen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Ernott, Ted	Wellington	PC	
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Geigeler, Hans	Nepean	Lib	
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Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
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Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
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McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
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fer, Steven	Mississauga North	Lib	
Neil, Hugh P.	Quinte	Lib	
Neill, Yvonne	Ottawa-Rideau	Lib	
wens, Stephen	Scarborough Centre	NDP	
rruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
ilip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
illips, Gerry	Scarborough-Agincourt	Lib	
lkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
irier, Jean	Prescott and Russell	Lib	
ole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
uliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
ne, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
msay, David	Timiskaming	Lib	
zzo, Tony	Oakwood	Ind	
nciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
pprecht, Tony	Parkdale	Lib	
ott, Ian G.	St George-St David	Lib	
lipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
la, John	Mississauga East	Lib	
rbara, Gregory S.	York Centre	Lib	
erling, Norman W.	Carleton	PC	
ockwell, Chris	Etobicoke West	PC	
llivan, Barbara	Halton Centre	Lib	
therland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
varbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
lson, David	Dufferin-Peel	PC	
rnbull, David	York Mills	PC	
lleneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
ard, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
ard, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
ark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
arner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
aters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
essenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
nite, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
ldman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
lson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
lson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
lson, Jim	Simcoe West	PC	
nninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
seman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
ptmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Co-Chair: Noel Duignan

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Clerk: Smirle Forsyth

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Monday 17 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 17 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 17 June 1991

[Report continued from volume A]

RETAIL BUSINESS ESTABLISHMENTS STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS EN CE QUI CONCERNE LES ÉTABLISSEMENTS DE COMMERCE DE DÉTAIL

Continuing the debate on Mr Farnan's motion for second reading of Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act in respect of the opening of retail business establishments and employment in them.

Continuation du débat suite à la motion proposée par M. Farnan pour la deuxième lecture du projet de loi 115, Loi modifiant la Loi sur les jours fériés dans le commerce de détail et la Loi sur les normes d'emploi en ce qui concerne l'ouverture des établissements de commerce de détail et l'emploi dans ces établissements.

Mr Conway: I would like to make some comments on the matter before the House. Certainly it has been one that has occupied a number of public fora in my constituency over the years I have been here, and that is the whole question of the regulation of retail store hours.

I was interested to hear some of the debate earlier today. I must say I am interested to see who is not here today. For those of us who have been around for a while, the walls of this chamber ring to the resonant tones of people like the member for Welland-Thorold and the member for Windsor-Riverside, who went to the wall on sacred ground and sacred principles in this place two years ago.

What we are happily debating today is the new government's policy in respect of the regulation of retail store hours. This policy contrasts, as has been observed by previous speakers, with the proclamations of the party now in government over the years when this issue was before and it was not in government.

I say quite sincerely that is not a surprise. The realities of office, the discipline of power, do have a sobering effect. But I do observe, and I am sure they are occupied with other things, but who could forget the passionate filibuster of I think it was 1989, when members of the now government party were in the opposition. They could not have been more vigorous. They could not have been more forceful. They could not have been more dynamic and colourful in going to the wall. When I think of what they did in those debates of two years ago, I am struck by how different the debate is today.

I do not remember that debate two years ago as anything of a high watermark in the legislative behaviour in this chamber. In fact, I look back on it with a sense of being absolutely appalled at how flagrantly irresponsible the people were prepared to be in defence of their point of view. I expect before we are finished some of those

people will want to come back and rejoin the debate, now perhaps from somewhat of a different perspective.

As I listened to this debate I remembered, upon my election in 1975, I think it was in the first session, the then Davis government brought forward legislation dealing in part with a significant difficulty in the regional municipality of Hamilton-Wentworth where, as I recall the situation, there were a number of suburban malls causing no little bit of difficulty for the traditional downtown core. As a newly elected member, I could not for the life of me understand what the great debate was all about, but I was quickly made to understand just how contentious and difficult, if not impossible, the whole question of retail store hours would be for that government; certainly it was for our government and I do not see it changing significantly under the new government.

It is important now to look at the experience of each of the three main parties in government with this apparently intractable public policy. I do not share the view some people have that this legislation clarifies some of the fundamentals. Anyone who believes that is Pollyanna at best and mindless partisan at worst.

I am struck by how this legislation turns on the basic principle of municipal option. I am not surprised, because this government, like any government, has no choice. The thing I remember about the Tory bill we altered was that in fact it was the municipal option. Only in Ontario could you have a situation where scores of municipalities who happily exercised the municipal option—called something else, the tourist exemption, but it was for all intents and purposes the municipal option—people who quite understandably availed themselves of its adaptability and flexibility complained about it as some kind of terrible principle when the debate was joined. I never did understand; I do not expect I ever will.

I represent a large rural, small-town, small-city constituency in eastern Ontario bordering the province of Quebec. In one of the most rural of my townships, and there are some 36 municipalities in the county of Renfrew, in the heart of the county we have a wonderfully rural municipality in which there is situated quite a large commercial concern that has been, since I was a child, always open on Sunday. I could never understand, until we got into this debate a few years ago, how that place ever was opened in the shadow of more church spires than I could count. Of course, it was open under the Davis policy of local option, the tourist exemption.

I just make this point: It is a supremely agreeable, sensible and practical policy for all of us who pile out of the churches on Sunday—and I am one, because this happy place is on the road to my cottage and the number of my constituents I meet at this facility on Sundays throughout the year is quite remarkable. These are good, God-fearing, churchgoing folk. If I did a canvass of those people, I suspect most—not most but a goodly number of those

people—while they shop at this facility, would tell me they are opposed to Sunday shopping. I am absolutely convinced of that. The Kitchener-Waterloo Record a couple of years ago did one of these marvellous streeters at I forget which mall. This is one of the things about this policy I enjoy so much, because what people believe and what they think passionately and truly on both counts have not any necessary bearing on what they do. But I repeat, I could sit or stand or shop at this commercial facility, which has been open for years, and be overrun with my constituents on Sunday. I am sure a very significant percentage of that group would tell me the municipal option is terrible and Sunday shopping is worse. But we are all there and I as much as anyone, unlike my friend the member for Durham East, shop a lot on Sunday of necessity. I work on Sunday. I do not particularly like the fact, but for the 16 years I have been a member of the Legislature, Sunday is traditionally my busiest day. It includes a five-hour drive back to Toronto at the end of the day.

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If I think about it, I probably do not like to do that, but it comes with the territory. I certainly shop often for nothing particularly glamorous, but I am glad to have drug-stores open on Sunday and I am certainly glad to have a certain kind of food store that does not charge the rates I have to pay in the convenience stores that are of necessity forced to charge higher rates because they are open at particularly late hours.

I come back to the main point: This bill incorporates what the Joan Smith bill and the John MacBeth bills of previous parliaments have incorporated as a fundamental; that is, local option. Anybody who thinks it does not is dreaming in Technicolor. As I say, there is no government, whether it is led by the present Premier or Preston Manning, that is going to be able to make policy in this area without that as a core principle.

My friends opposite will say there must be a common pause day. I say to my friends opposite, in 1991, given the cultural complexity of Ontario, if anyone honestly believes that with any degree of effect in urban communities like Toronto, Hamilton and Ottawa, there can be a common pause day that means anything like the 19th century concept to which my friend from Orono was making reference, then of course they are only kidding themselves, and worse, they are kidding the electorate. I understand entirely the ambition. Ontario, as my learned friend the member for Hamilton West will know, in the mid-19th century, was a much more homogeneous community. A lot of things were possible as recently as the 1950s that in my view are not practically possible, however desirable, in the minds of some in the 1990s.

This debate reminds me of another public policy issue that has bedevilled Ontario, not so much recently as it did for decades. That was the great liquor question. Apparently for many people—I am sure this does not apply in Gengarry—the idea of shopping for the sheer recreational joy and enthusiasm this occupation or activity inspires is really a worthwhile way to spend a day or a week. I cannot imagine doing it, but I have friends and relatives who love to shop until they drop. This is their idea of a good time. In

my community, people travel considerable distances within the community and elsewhere to shop with great enthusiasm and great effect.

What the Legislature has tried to do over the last number of years is to regulate this enthusiasm with a view to economic order and protection, particularly for the working men and women of the province—a totally understandable objective it seems to me; however, practical quite another matter—an effort to regulate in the interests of some kind of public morality. Again, from an idealist's perspective, not an unreasonable expectation, and for certain social objectives which I think flow from that interest in public morality. All of that I perfectly understand, but I say now what I have said before, as legislators we would do well to understand what it is we can easily regulate and what it is we have no hope of regulating, at least to the extent that we would make people believe we might regulate.

Here, of course, the liquor question becomes interesting, because for decades our predecessors in this chamber tried in vain, mostly, to regulate the demon rum. We have still a residue of that moralist crusade that is quite a wonderful, joyous commentary on our beloved Upper Canada. As one of my friends says: "You know, only in Ontario." The way we essentially resolved that great debate was accordingly that you could buy the stuff, but you could only buy it in a government store and you could only take it out of a government store if it was wrapped in an opaque brown bag." We have done it for decades and it brings great comfort to our peculiarly Upper Canadian soul and morality. As far as I am concerned, if it does, who am I to complain? A lot of people who visit this province look and smile an endless smile at this kind of public policy. "Yes, they will drink, apparently, but if they choose to drink in this province, they will buy it from us at world-class prices and we will wrap it in many wrappings of brown paper so that no one out there in Hamilton, Cambridge, Listowel, Kitchener or Iroquois Falls will see the awful, corrupting stuff. They can take it home and with the blinds drawn and the kids in bed they might just have a wee nip."

Anyway, here we are regulating again in the interests of social justice, economic protection and public morality. It is a brave politician who moves into this area, and I look back on the fiasco of our effort in this respect with no little pride. Did we do the right thing? In my view, absolutely. Did we do it awkwardly and poorly? You bet. I accept a fair measure of self-criticism because never in my wildest imaginings would I have expected to be lacerated by the Association of Municipalities of Ontario over the outrage of public policy based on a municipal option when that is in fact what we had had for decades. I see they are at it again. AMO does not like this legislation because, my God, it has as its core component municipal option.

I repeat, the government has and had no choice, and I commend it for the common sense of that. A long distance it is from that which was shouted about two years ago: rather like British Gas, you are quite prepared to put not a little bit of water in your wine when the harsh realities of these kinds of pressing issues have to be resolved.

I read somewhere the other day that AMO is upset and must think, my God, what do they want? Do they want a group of provincial bureaucrats in Queen's Park telling the people of Grattan township in Renfrew county what exactly they can and cannot do around the regulation of retail hours? I do not believe that has ever been the policy of any government in Ontario for at least the past 50 years, and it would be perfect madness for any government to embark on that as a course of action.

I say to my friends the members opposite, my difficulty with what they have done in this legislation has not anything to do with the vast gap that exists between the actual performance of this policy relative to the promise of last year. I understand why the government cannot do what it said it would do. However, I am very concerned at the encumbrance it has placed on the local option, and I understand why, because of course it must show those people out there that it has tried to put some brakes on that is, in some cases, an unbreakable community interest and individual urge.

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But I think this legislation, as has been commented on by others, will be a lawyer's paradise. As my friend the member for St George-St David has said, this is enough to keep a former Attorney General interested in the practice of law.

I saw something today actually that came across my desk, one of these Lawyers Weekly journals. Members all told me I am sure. Mr Justice Michael George Bolan, QC, of the Legislature, has granted some kind of leave to have the previous government's legislation tested—I am sorry, that is on the insurance; it is on the threshold. But I want to come to insurance because they are not unconnected.

Interjection.

Mr Conway: Listen, I promised to be brief, but I sat here for months. I listened and watched the chandeliers reverberate with NDP indignation about Bill 112 and Bill 113, or Bill 113 and Bill 114. The member does not want to know what his colleagues did. He does not want to know the kind of tactics that were engaged in. I was thinking about that the other day, but it would be really impolite and impertinent for me to recall.

I simply say that when I looked at what the government has done to the local option, if I were on a local council, boy, I would be pretty ticked off. I would be mad as hell because it has created unnecessary confusion. It has added very considerable expense to the decision-making of a given community. It has certainly, without any doubt, added very considerably to the cost of doing business in this province at a time when we are all hearing—I was in Niagara Falls the other day and I had a lot of sympathy for those people from the board of trade who were describing what they are confronted with in this legislation. This policy will not sit in a vacuum.

In my community, two and a half hours from the New York state border, scores of people are leaving every Saturday morning, apparently, to shop in Massena and Watkins Glen. And so, for those communities that I represent, a long way from the border relative to Niagara Falls, Welland and

other such communities, if I were in the local chamber of commerce or on the city council, I would be looking at this and saying, "Yet more cost, more complication, more confusion."

Again, the government will say it has done so to give effect to the common pause day, worker protection and, of course, that is the argument that will be advanced. I do not believe it is going to do anything to advance materially the position of the previous government's policy, however ill-communicated that policy was.

I say as I look at this that for people to seriously imagine that the criteria—I am too tired on a Monday to have the fun with this that I would like to on another day. But my friends opposite are smart people. They are good people. I think the member for Nipissing was talking about this. I cannot conceive of any community I represent that could not be open on one or any combination of these criteria.

Again, I do not fault the government for that. That is exactly what Bill Davis and George Kerr and John MacBeth came to conclude as they went around and around looking for a way. Those Tories did not stay in office for 42 years by accident. My friends to my left—there are not too many left who remember those days—but I am going to tell the House that if we go back and look at the efforts, particularly in the mid-1970s, they may have said one thing and done something a little different. As I say, I was a member of the Legislature for years before I realized the tourist exemption is like the Delphic oracle: it can mean everything or it can mean nothing.

Again, it taught me something about making public policy. It is like liquor. It is evil; it is all kinds of things. But you can tax it, you can make them buy it from a government store and you can wrap it in a brown paper bag. That somehow settles the nerves to a sufficient extent just to allow everybody to get on with other things. I never learned any of that in graduate school or in elementary school, but I have learned it in the school of politics. Boy, it is a very interesting education.

But I look at this and I think this is the nightmare of this package. The government has tried with great and predicable socialist zeal to get into the business of enumeration. Of course, it has had to cast the net with some degree of flexibility, so we have things like historical or natural attractions, cultural or ethnic attractions, a concentration of hospitality services, sale of heritage or handcraft items, or a farmers' market, access to hiking, boating or fishing, fairs and festivals.

In the presence of my good friend from the public interest group that I think is called Citizens for Public Justice—a good fellow, smart—I cannot believe that Gerald is going to look at this and see it for anything other than the tourist exemption that was always there. I would disappoint him because he and I are not going to agree. He is going to want something I cannot deliver, however much I might want to agree with him.

One of the interesting things in a community like mine is that the city in which I live, Pembroke, is by and large closed on a Sunday. My other little community 35 miles away is open. That may violate certain nostrums about uniformity and

universality, but it works and it has developed over time to meet different kinds of community circumstances.

What the government has tried to do here now is set out criteria that presumably are going to be litigated and interpreted. I think the opportunity here for judicial review of what councils do and do not do, what chambers of commerce do and do not do, what labour councils do and do not do is endless. It will be painful, it will be miserable, it will be never-ending, as I said earlier, and it will, most importantly, add confusion and cost to a sector that employs tens of thousands of people and a sector that by all accounts is in very difficult straits as a result of local taxation, international pressures and a variety of other things that have been much commented upon.

I simply say, in conclusion, what have we? We have NDP policy that is built on the fundamental principle of local option with criteria that will allow every community that I know and represent to be wide open if they choose. But if they choose, they will now have to go through a set of administrative and bureaucratic hoops that will be very complicated in some cases and especially confusing and costly.

This bill will not provide what was offered, namely a common pause day of any great effect. I respect the instinct of my friends opposite to try to do that. But just as in a society of 10 million people where large percentages apparently will insist as a matter of either economic right or recreational interest to shop on Sunday you will not in any significant way stop that enthusiasm, you are not going to be able in any real way to create the common pause day, for those and other reasons that have more to do with the changing complexity of our multicultural mix in Ontario in the 1990s.

Finally, the government has put municipalities in a position where I have a feeling that, whatever we do in this process, after perhaps 18 months to 36 months we will be back either at their urging or perhaps at the urging of one of the higher courts to try, once more with feeling and once more without any real unanimity, to regulate the unregulable, namely retail store hours in this province.

1840

Hon Mr Farnan: I have to say I always enjoy the analysis of the member for Renfrew North. Articulate as he is, entertaining as he is, and persuasive as he is, he misses the point.

The point is this: He talks about local option. His definition of local option applies quite clearly to the old Conservative law where they had the tourism exemption but no definition. It applies quite clearly to the Liberal administration's local option, which was simply to hand it back to the municipalities and to have no further part in that.

But what we are proposing is something quite distinct and something the member never referred to at all in his presentation to the House this evening. We are talking about a local provincial partnership. We are talking about a responsive local administration together with a responsible central co-ordination. With the sensitivity and the knowledge and expertise of the local community and with the

provincial guidelines and the definitions provided, we can get some uniformity, we can get some balance. But we are essentially talking about a partnership.

So entertaining as the presentation of the member for Renfrew North was, it is deceiving because, while we are being entertained, we are not addressing the substance of the issue. The substance of the issue is that this legislation is significantly different, very different from what has preceded it. This legislation is common pause day legislation for families and communities, with provincial guidelines where there were no provincial guidelines before.

Mr Daigeler: I think the member for Renfrew North certainly hit the substance of the issue, and I fully agree with him. As I indicated earlier, the substance is that this legislation has the same effect as ours had with regard to openings on Sundays.

In my comments, though, I do not really want to address the legislative or regulatory aspect of this bill. I would like to mention something that relates absolutely to the philosophy or the thinking behind the whole question of work on Sunday.

Perhaps I am coming from a bit of a different direction than the member for Renfrew North, with all due respect. I think too often, we look at this question as a religious one in the narrow sense or in a 19th-century concept, as the member for Renfrew North spoke of. But, quite frankly, I think we are looking at this question in too narrow a perspective.

I recently read in the *Globe and Mail* a very interesting article on leisure and what in our society we are doing to the whole concept of—I use the traditional word—contemplation, in the sense of doing nothing. That seems to have gone by the wayside. We are so addicted to work and to doing things that we are bypassing that elementary human element which is seeing and admiring things. That is from the Latin word “contemplation.” I think that is an essential dimension to humanity and hopefully to our society as well.

I think the whole concept of leisure is something that should enter the debate, not so much about the legislation but what we do on Sundays.

Mr Sutherland: I just wanted to make a few comments in response to the member for Renfrew North, particularly when he was talking about why people shop on Sundays. He talked about how he does not like to shop on Sundays but sometimes is forced to, and he mentioned his family members.

I have often been intrigued about how we have gotten to the point in our society where in many respects shopping has become almost the number one family activity. I think it is a very sad commentary on our society that somehow spending money and bowing to the gods of commercialism is the number one activity people find fulfilling as a family activity.

Having worked in the retail sector for seven years through high school and university, I have never seen why people would want to shop on Sunday. I always enjoyed having that day off to do what I consider true family things, such as birthday parties and those types of things for family members, for mom and dad and nieces and

phews, and anniversaries and what have you. It really is a very sad commentary when the advertising whizzes on Madison Avenue have truly won over people and convinced them that six days of the week are not good enough to run up your credit card to the maximum and be in debt and increase your personal debt. You need to do it on a seventh day.

I find it rather disconcerting that this is where our society is at, and I certainly hope we can change that trend somehow. I do not think we can legislate that, but somehow through education people will realize there are better family things to do than shopping on Sunday.

Mr Bisson: I also echo those issues. The honourable member was not here when we raised a few points before. It was raised in the retail sector; both my parents were employed, not only employed but self-employed in the business sector. I understand full well the implications of parents having to work on Sunday, having lived in that particular thing myself.

At the beginning of his discourse the member alluded to this Legislature when he mentioned that he had to work on Sundays as a politician and that it is one of his most important days. My comment is that it is our choice as individuals to work on Sunday at our particular thing. If we do not, we may not get elected in four years, but it is something of a choice and opportunity. The question I have for him is, should we not give those people who want the opportunity the choice not to work on Sunday? I take it that he supports that particular thing.

The other point I want to make is that one of the arguments used inside this particular debate is that we need seven days of shopping to be able to compete within the marketplace. I too am a little confused on that particular point because for over 120 years since Confederation within this province, we have been basically operating on a six-day or five-day work week even at one time in the shopping sector. When I was a younger lad I remember they used to be closed two days a week, Sundays and Wednesdays, and managed to make money over a five-day period. Now we have diluted it over six, and some people are suggesting we dilute the money the business sector brings in over seven days, which just raises the cost of operation because it is still the same number of dollars out there that we consumers are putting in the pockets of the retail merchants. Apart from the convenience, I really wonder just how much money is to be made on Sunday.

I think it comes to the point my honourable member made a little while ago, that somehow our society has made shopping on Sunday a sort of trendy or in thing to do. It has made going out and shopping a central part of our life, and I do not think that is the issue here.

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Mr Conway: I want to take issue with my friend the Solicitor General. The basis of the Liberal policy, which he might disagree with, was without any question local option within a provincial framework which made some reasonable provision for worker protection. In that respect, I do not see the new government's policy as fundamentally different. I repeat, the Liberal government policy turned on

the principle of local option within a provincial framework, which included some reasonable measure of worker protection.

I do not share his view, nor do independent analysts, that this policy is qualitatively different from the previous government's policy, although it is different in degree. That is why I do not like it. It encumbers municipalities and businesses with a whole panoply of socialist regulation and cost that I think is going to be confusing at the very least and most likely counterproductive.

Second, a generation ago the debates in this place would have been about the efficacy of Sunday sport and Sunday entertainment and whether there should ever be a ball game. Times change and now 50,000 people parade virtually every Sunday to the SkyDome and there is not a great debate about that. That reflects changing attitudes in the community.

One of the reasons I will be very busy over the next three months in my constituency is that I will be worn out going with hundreds of other people to church picnics on Sunday, irony of ironies. That is where I will be. When I think about this debate, the only thing that is more interesting than municipalities attacking local option are churches complaining about this when I will join thousands of churchgoers at church picnics over the course of the coming months.

Finally, I strongly support local option. I would rather have a more closed than open Sunday, but I think communities should have the right to make that choice.

Mr Carr: I am pleased to rise this evening and contribute to the debate on this very important bill. I must say at the beginning, though, that on an issue like this, I am surprised the government has pleased no one when hopefully at least one side of the issue could be happy. In fact, with this legislation all it has done is make it a lot more confusing.

Normally you would think that if it brought in a bill, it would please one side or the other. However, it has managed to alienate every side of the issue. In the short period of time it worked on this legislation, it has managed to alienate all sides of this issue. It has pleased no one with this bill. I think it is a sad commentary on the government's performance that it cannot get even this right. It cannot make even one side happy. It has to alienate everybody on the issue.

When I look back and reflect on what happened in the previous debates—I think one of the previous speakers alluded to this—during some of the debates the Solicitor General actually had a tiny chicken that he brought around for some of the hearings. He put it on his shoulders and brought it around during some of the debate and mocked the previous Solicitor General for taking the chicken way out, as he called it.

So what does he do? He turns around and does the same thing. Then we wonder why in this day and age people are a little cynical and sceptical about politicians. They say one thing in opposition, go around and mock the previous government with little chickens and then turn around and their bill does the same thing. They take the chicken way out by passing it on to somebody else: "It's a

tough decision. I don't want to make it, so I am going to lob it on to the municipalities for them to make."

If you look back at the history of the Sunday shopping debate and see what we have gone through—and I think a couple of other previous speakers talked about it, going way back to 1845 when all activity was banned but churchgoing and certain works of necessity and charity—through that period we had many changes. In 1892, I guess, the first Toronto referendum on allowing Sunday streetcars was defeated; so this debate on what should happen on a Sunday has gone on and on going way back.

In 1943 the Attorney General, noting widespread disregard for the Lord's Day Act, announced he would no longer give permission to prosecute souvenir stands, hot dog stands, cigarette stands, rental boats, rides in airplanes and Sunday excursions. In 1945 they ended the Sunday movies for servicemen during that period of time. I was reflecting a little bit on this with somebody about a week or so ago. I am not that old, but during that period of time we actually had curfews in some of the sporting events. This debate on whether we were going to be allowed sporting events went back for years.

It is kind of ironic that some of the people who are now saying we should have the right not to work are the same people who go down to the ball game and park. The parking lot attendants have to work on Sunday and they say we cannot shop on Sunday. Those are the same people who then go to the stands and have a hot dog and maybe even an occasional beer. The people serving them have to work. When it comes to their own particular pleasure, they are prepared to have other people work.

In this day and age our laws make it so ridiculous that you can go to one of the farmers' markets and get lettuce, but you cannot buy the salad dressing for it unless you go to a convenience store, a 7 Eleven or one of the other stores. As we sit here today, you can buy it on a Sunday but you have to go to a different store. We are now in a position where you line up and certain products can be bought but other products cannot. The government is trying to regulate everything. As I sit back and reflect on this, I see that there has been no change and no improvement. As I said earlier, every interest group on every side of this issue, whether it be the municipalities, labour or the stores, all are opposed to this particular bill.

I guess some of the headlines say it best: "Wishy-Washy Sunday Plan Angers Cities, Labour and Stores." In Metro, officials said the new legislation would create "a chaotic mess for municipalities and may lead to wide-open Sunday shopping in some of the city's busy districts." One of the local councillors said, "I am disappointed because the province said they were going to decide which stores would open and I naively believed them." Cliff Evans, the Canadian director of the United Food and Commercial Workers, said, "I'm very unhappy because it doesn't remove the local municipal option." Here the government has municipalities and labour unhappy with it.

Now I will talk a little bit about what the business community said. This is a quote from one of the people for the Canadian Federation of Independent Business: "I read it as a very wishy-washy piece of legislation, as much as

just about any other area in the community could be open. The Ontario Chamber of Commerce says the same thing that the proposed legislation has put a huge and unasked for burden on its 168-member organization, a burden that could tear many of them apart.

The business community, labour and the municipalities are not pleased with it. As we sit here, the only ones pleased with it are the group on this side who wrote the legislation, and I suspect half of them are just doing it because it was brought in by their government.

Barry Agnew, the vice-president of one of the Bay and Simpsons stores, said, "Once again this government has refused to take steps that are urgently needed to help retailers in this province be competitive." Some Metro officials who were talking about the interpretation of this bill said it would create a chaotic mess. Through editorial after editorial, as members have been looking through the paper over the last little while, the overwhelming consensus has been that nobody is pleased with this legislation.

I read now what John Winter, the president of one of the associations, said. He is involved in some of the cross border shopping: "It's incredible that retailers aren't allowed to be competitive. The iron law of marketing is to give the customers more of what they want, less of what you think they need. Somehow we've got the Ontario government violating this fundamental law."

We have got both sides of the issue claiming victory. We have one side saying it is going to make it tougher and the other sides saying it is going to make it easier. Quite frankly, it is now going to come down to the courts to decide. The courts will be the ones deciding it. As in the past, we will have court decisions and court cases after court cases. The municipalities will be forced to take this particular legislation and deal with it as they are challenged.

I received some information from the local municipality of Halton. This is going to mean that people are going to line up before the criteria and try to get exemptions. They will be the ones to have to make the tough decision because this government is not prepared to do it. The government says it has made the tough decisions on some of the criteria for tourism, and as most of the speakers have alluded to, when one looks at the criteria, if this is a tough decision, then I would hate to see an easy decision, because it has made it so easy for particular groups to take the tourism option.

1900

I think some of the speakers have done this but let's just take a quick look at the criteria again. Almost every community in this province would be able to be claimed as a tourist exemption. So for those who say, "Yes, we've got a tough law and we've made it so that there will be a common pause day on Sunday," that is not true. It is as easy as can be with these particular criteria. It will now be up to municipalities to decide, instead of this government deciding what shops will open. We are going to have a piecemeal situation where we are going to have some shops open on one side of the street and potentially other ones closed on the other side, so we are going to have a mismatch.

To anybody who is wanting to go out and shop on Sunday we are going to have a situation where they will

ot know if the municipality qualifies. We now have different levels of exemptions. We are going to have one for the small retailers and one for the large ones. That right off the bat is going to make it so that the larger retailer is going to take it to the court and challenge it. We are probably going to see a period of time when we are going to have appeals and it is going to be challenged as unconstitutional by the large companies. The small companies are going to be challenging it if they do not get the proper ruling from municipalities. Through all this we have got a public out there who is going to become more and more confused.

They say they are tough exemptions for the criteria. When one looks at it, every part of Ontario would meet the tourism criteria. "Historical or natural attractions"—that could virtually say anywhere in this province. "Cultural or ethnic attractions"—anywhere from Toronto to downtown Sudbury will qualify for that. "A concentration of hospital-ity services"—in most areas, local shops offer plenty of hospitality services, so they are going to be able to qualify for that. "The area predominantly provides for shopping activities" which feature themes or markets or "the sale of heritage or handicraft items"—again, most areas in the province will qualify for that. It provides access to hiking and boating; we now have in this province a situation where fishing in most lakes and rivers and streams will qualify for that.

What they have done is they have brought in exemptions so that virtually everyone can now be exempt from it, and they have said: "We're not the ones who are going to make the decision; it's going to be up to municipalities. We as a government are not going to decide. We're going to throw it into the laps of the municipalities." It is a little bit ironic that the Solicitor General mocked the last Solicitor General for taking the chicken way out and then turned around and did virtually the same thing.

I will read some of the comments from across the province because I do not think people just want to hear my opinion on it. "The NDP has collapsed back to the old municipal tourism exemption which made such a mockery of the Business Holidays Act," one paper said. Of course we know, it was the Liberals who were the first to throw the municipal option out there. Another paper said the province planned to exempt border cities from its promoted Sunday closing laws, which is what the Solicitor General said. He said: "Certainly that's the goal. Border cities are going to be exempt but I'm bringing in this tough legislation that's going to give a common pause day." He is trying to please both sides and consequently has pleased no one.

As the Premier said, and I will give a quote that was in one of our local papers, "I can't prevent municipalities from doing what they're entitled to do." What is going to happen is he is going to say: "The municipalities can do whatever they want but, boy, I'm tough. I'm bringing in this tough law that is going to leave a common pause day but on the other hand say that it's up to municipalities." As I said earlier, then we wonder why people are a little bit cynical and sceptical about politicians.

Another paper, when provincial New Democrats wanted to drop the requirement for police officers to swear their allegiance to the Queen, told critics: "Get real. This isn't the old colonial Ontario." They said, "This is a multi-cultural, multifaith place where no one wants to pay homage to some fusty old monarch any more." That was a quote from one of the papers. Here they are saying they are going to consult and leave it with municipalities but, when it comes to issues like that, they do not leave it up to the municipalities. So there is selective consulting and when there is a tough choice to be made, they slough it off on to somebody else rather than making the tough choice.

One of the spokesmen for the Committee for Fair Shopping said the large food stores have always agreed with the principle of allowing workers to refuse to work on Sundays, and I think that is something everybody agrees with. Nobody in this province should be made to work on a Sunday if he is opposed to it, particularly on religious grounds. I think that is what we need to do: ensure that nobody is forced to work.

It was kind of interesting yesterday to get the comments from my eight-year-old son. I said I was going to be standing up and speaking on Sunday shopping. He said, "Dad, why don't we just make it that if somebody wants to shop on Sunday, they can, and if somebody doesn't want to shop on Sunday, they don't have to?"

It is kind of interesting that what we have done here is make it so complicated that the only people who are happy with it are the lawyers. The lawyers are the only ones who are going to be able to look at it and say, "The more complicated the better, because I'm going to be able to collect my money to be able to untangle it and to be able to take it to court when all the court challenges crop up."

The ironic thing is that it will not be this government that will have to pay for it; it will be the municipalities that are going to have to spend the time fighting it in court as they get challenged time and again by local businesses, either pro or con. Regardless of what side of the issue, there are going to be challenges. If you make a decision in a municipality and people are unhappy, it is going to be challenged and we are going to see a tremendous amount of litigation. I think in this day and age, that is the last thing we need.

One of the presidents of the chamber of commerce in Sault Ste Marie said that she is very unhappy about the province's plan. They are not happy up in Sault Ste Marie. The chamber of commerce in Sault Ste Marie is not happy with the plan. They pleased no one.

On the other side of it we see such headlines as, "Open Sundays Are Inevitable,' Merchants Say." We have a government that stands up and says: "Boy, we're going to have tough criteria. We're going to have a common pause day." The merchants are saying that virtually everyone is going to be open. "Sunday shopping in Ontario is inevitable despite the New Democrat government's proposed legislation,' retailers in favour of Sunday openings say." So here they are saying, "We're going to have this tough new law to have a common pause day," and the retailers are saying, "Uh, uh; it ain't going to work. We're going to

be able to open." Quite frankly, with the municipal option and with the criteria they have, they are probably right.

I think one daily had a headline that said it best: "Passing the Buck on Sunday Shopping." That is really what they have done; they have passed the buck on to someone else. There is a tough choice to be made, so they passed it on to someone else rather than stand up and be counted like a government should.

The legislation is a sign of a government wearing blinkers, of pushing its agenda forward without recognizing the pitfalls of the agenda. They recognized some of the pitfalls, so what they attempted to do was please everyone. Consequently, they have done what most governments should know they cannot do; they have attempted to please everybody and they have pleased nobody.

The president of the Hudson's Bay Co—and I think our leader alluded to this in one of the questions—told the company's annual meeting that sales fell earlier this year when Sunday shopping stopped in Ontario and that potentially 4,800 Hudson's Bay jobs were lost during that period of time. Here we have a government that is not prepared to make the tough decisions one way or the other. They have tried to straddle the fence, and consequently I think what they have done is they have pleased no one.

I look at some of the other editorials: "'Protection for retail workers is difficult,' says the Solicitor General." Quite frankly, as Mike Freeman, a spokesman for the United Food and Commercial Workers International Union, said, "It's almost impossible to legislate protection for workers." These are union people speaking, so the government should listen to them. I know sometimes it does not listen to the business community. Mike Freeman, a spokesman for the United Food and Commercial Workers International Union, said, "It's almost impossible to legislate protection for workers." They are saying it cannot be done, and quite frankly, this legislation certainly has not done it.

The next headline is "'Sunday Bill is Flawed,' NDP Admits." The Solicitor General, when he went on Focus Ontario, was reminded during the interview: "By your own admission, the right to refuse work on Sunday is rather spineless. It's weak. It can't be enforced." This is what this Solicitor General said: "Let me tell you, there is no question that what you said is true." So he believes it cannot be done, yet when the statement comes and he is standing up in front of this Legislature, he troops out, saying, "We're going to be able to protect the workers and it can be legislated." In fact, he agrees with what was said.

1910

"Thousands of retail workers will have the absolute right to refuse work," said the Minister of Labour, but the fact is, the unions do not believe that, business does not believe that, the municipalities do not believe that, and in fact the only one who believes that is this government and I guess that is even a little bit sadder as we sit here today.

One of the retailers said, "At best, the provincial Sunday shopping plan boggles the mind of local retailers." One of the co-owners of a ladies' clothing store, Morning Star, said, "They seem bent on making it harder and harder

for us to survive." So again you have the retailers saying they are not pleased with the law.

Since one of the big thrusts has been on the tourism criteria, I thought I would take a look at what Tourism Ontario said. "According to the most recent statistics, Sunday cross-border shopping by Ontarians increased by 32% between February and March of this year following the reimposition of Sunday shopping restrictions in Ontario. That is what they are saying. This is a group saying cross-border shopping increased by 32% during that period of time, and yet we have got a government that says it is taking tough steps to protect workers in this province. It has not done a thing.

As I sit back and look at the history, we have all the amendments that came in and the various things that were happening. We were going to have trolley cars that were going to be able to operate on Sunday and then we got rid of them; we had servicemen who were allowed to go to movies; we had professional sports that were exempt from Sunday but only until 6 pm, so what used to happen—those who are old enough to remember, and I am not one of them—is that the game used to be called at 6 o'clock. They used to go home and play the next day and the team used to have to stay over if they did not finish in time.

What this particular piece of legislation will do is make it so the history of the Sunday shopping issue in this province will continue. Instead of making the tough choices to end it once and for all on either side of the issue, what they have done is ensure it will be prolonged for a further period of time. The only ones who are happy with it are the people who are going to be involved in the litigation: the lawyers who see this as a chance to make some money as they argue all sides of the issue in front of every municipality are now going to be swamped. They are going to be swamped at council meetings across this province over the next little while from both sides of the issue, trying to deal with it.

We will not see any outcome that is going to be satisfactory to anyone. We are going to have a piecemeal piece of legislation. We are going to have situations where potentially some parts of our ridings are going to be open and some will not be. Consumers are going to be relatively confused by it. Border towns are going to want it. They are going to be confused by it. Lord knows how long it is going to take for this legislation to go through if somebody does pass it. They have to hold public hearings. When you look at it, what we have is a piece of legislation which, quite frankly, I am amazed it took so long to put together. They spent so much time putting it together, and as I said on one other occasion, even a broken clock is right twice a day, but they are not able to get one piece of legislation that pleases anybody on the issue. Every side of the issue is unhappy with what they have done and yet they stand up here and say, "We've done the right thing." We even hear the Solicitor General championing what he is doing as being correct, and in fact no one in the province believes it. No one in the province is happy with this piece of legislation with the exception of the Solicitor General, who I believe is coming over to consult with me and maybe change some of the points I have made in this dramatic

debate. Maybe I have moved him. I think he has moved to this side of the House for the next period of time.

What we are going to have is potentially a domino effect, a patchwork of Sunday shopping, and this bill has done nothing to alleviate those fears, but in fact it has served to increase them.

I think I spoke too long. He is going back to the other side again, so I should have quite while I was ahead.

There is little difference between this NDP piece of legislation and the Liberal piece of legislation, in so much as both dump the responsibility back on the municipalities. Quite frankly, I guess the Solicitor General would be a little bit embarrassed, considering he is the one who kicked the previous Liberal government as taking the chicken way out and then turned around and did the same thing he accused Joan Smith of doing.

The absence of a definition of the geographic area means it is now up to councils to determine if a single by-law may apply for the entire municipality or for a specific area. So we have complicated it further. We are going to be talking about geographical areas, we are going to be talking about tourism exemption criteria, and nobody but the lawyers is going to be able to figure this thing out. They have got four years in government, or, God forbid, five years, if they take it to the distance. Instead of simplifying, instead of making the tough choices to clarify this issue once and for all, what they have done is muddled the waters and made it so that we are going to be having unclear regulations and criteria for the next little while. I suspect there will be numerous court challenges, adding to both the municipal tax burden and the retail cost. Everybody is going to be defending each side of the issue.

I received a little bit of information from the town solicitor of Halton about it. I guess municipalities are not going to be too happy, because they are going to have to spend all their time now in litigation on this Sunday shopping law, when all the government had to do was to have the political courage to make the tough choices, to stand up in this day and age and make the tough choices. Instead, they have tried to straddle the fence, and quite frankly, they have fallen over the edge.

This is not a good piece of legislation, even after the time it took to put it in place. We waited and we waited. The Solicitor General said, "We're consulting and we're checking and we're consulting and we're checking with this group." He had them all in, and then what did he do? He brought in legislation that pleased no one. He brought in legislation that no one is happy with, and from some of the comments from all sides of the House, including some from the people from the Liberal Party, everybody is looking at this piece of legislation and saying, "We waited so long for it and we're so let down by this piece of legislation."

The history of the Sunday shopping debate in this province does not end with this piece of legislation. It goes on and on, and I suspect, with the number of hearings we've had over the last little while—there has been committee after committee travel this province; they have heard submissions—some of the people must be getting sick of making the submissions, because they make the submissions, they make their point, and no government has the

political courage to stand up and do what it believes to be right and potentially to alienate anyone.

I am going to enjoy the summer months travelling with my friends on all sides on the justice committee. My friend from Guelph will have a chance to see wonderful parts and hear the debate and will go around and once again listen to all the wonderful things. I guess the only people who will enjoy it are some of the members who will get a chance to see this fine province, because the people who come before us are going to be saying: "Can't you characters down there in Queen's Park get it right? Can't you listen to us once and for all and stand up and take a piece of legislation and implement it and have the political courage to make the right decision?" Instead, we are going to be going around the province again, trooping around the province at a tremendous cost while we listen to people. We listened to people over the last little while—

Mr Mills: That's five times you've said that, Gary—on and on and on.

Mr Carr: My friend the member for Durham East will be with us, and he will be with us going around the province. In fact, one of the big facts is that nobody out there in the public is going to believe that these hearings are going to change or achieve anything.

It is going to be a lot like what happened in the standing committee on finance and economic affairs. They were piled in literally higher than the Treasurer of the day is, although, as he says, that is not too hard to do. That was his comment, not mine. But we pile submission after submission, people come around for these hearings, and then the government turns around and does not listen anyway.

As a matter of fact, I am going to see if the Solicitor General will let me borrow his little chicken to take around. I hope he has kept it. I asked him earlier if he did keep it and he cannot seem to find it, because that is in fact what happened over the last little while. We had a Solicitor General who is not prepared to make the tough choices.

I will wrap up my comments by saying that this piece of legislation we are talking about pleases no one. The people of the province, the people in the stores, the people in the labour movement, the workers, the people who are out there in Ontario; nobody is pleased with this legislation. Let's at least admit the mistakes of this government and at least let's have this summer, when we are going around for some of these hearings, to finally make the tough choices that need to be made to get legislation that will end this debate once and for all.

Even though I will have enjoyed travelling around with some of my friends and colleagues in the justice committee, I still do not want to be here five years from now still trying to debate because of a government that will not have the political courage to make its decision. Just stand up and do it, make the political choice that needs to be done, and then we would be able to get rid of it once and for all. Let's end this debate and move on.

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Mr Sutherland: I want to respond to a couple of comments made by the member for Oakville South. He used a quote that one of the people opposed to this said

that this legislation does not make retailers competitive. I believe it was a representative of one of the large retailers. I believe it was the gentleman from the Bay who said that. I find that a very interesting quote to use, because I am trying to figure out how allowing Sunday shopping or allowing large retailers to open is going to make them more competitive when all you are going to do is spread their costs out over seven days rather than six days. In other words, you are going to increase their costs. I have never known increasing their costs to make anybody more competitive.

I guess then, if they are not going to be made more competitive that way, what the member was suggesting is that what Sunday shopping is going to do is to squeeze the small, family-owned businesses out of operation, because, as members know, those people have to work six days a week as it is now, and there is no way that any family can work seven days a week. They need to have at least one common pause day. So all that is going to do is to hurt the small, family-owned people. Maybe that is their goal, that they feel somehow through their large purchasing power they still cannot compete with those small business people.

I would also like to draw the member's attention to some comments he made about cross-border shopping. Obviously the member did not hear the Gallup poll today which indicated that in British Columbia, where they have had Sunday shopping for many years, they are leading the way in cross-border shopping, that British Columbians are leading the country in participating in that unfortunate activity. So Sunday shopping is not related to the issue of cross-border shopping; it is much different.

Let me just say, in closing, that we do not really need Sunday shopping. If retailers were like bankers with their old hours, 10 to 3, then maybe we would need it, but I do not think we do now.

Mr Harris: I want to say briefly to the member for Oxford that the business community will be delighted to know that he understands why the Bay laid off 4,800 people better than the Bay does and that he understands the retail business better than the retailers themselves do. I guess it is part of the problem we have that those who have never sold more than a peanut in their lives seem to think they know better how to do business than the business people themselves. Quite frankly, I believe the members opposite do believe that, because I have looked at the legislative agenda, the tax agenda, the budget agenda, and I do think they believe they know better what makes it work.

However, I did want to comment on the remarks of the member for Oakville South and say that I have been astounded how, in such a short period of time, any member could come to such a commonsense grasp of the issues as the member for Oakville South has. I enjoyed his remarks today. There are a number of colleagues across the House in government who have been here for a considerable period of time, but the member for Oakville South, a new member, has quickly grasped the issues, both the legislative issues and the issues surrounding the history of this bill. I wanted to say how delighted I was to hear those remarks and how proud I think all members from all parties of the House would be of the member for Oakville

South for that non-partisan grasp and understanding of legislative issues and this bill.

Since my time is waning and the minister is not here, I would like to point out to the parliamentary assistant that right now, as we speak, Windsor is passing the final reading of a bylaw to allow wide-open Sunday shopping in the whole town because they say you can drive a truck through this bill and the whole town is a tourist area.

Mr Bisson: I thought there were a couple of interesting points, and I just do not have the time to deal with all of them, so I will pick a couple of interesting ones.

On one of the points that he raises, the analogy of his eight-year-old son, who had a solution to this problem by saying, "Why don't we just allow those who want to go shopping on Sunday to do so and those who don't not to?" I would have to think that if we carry that analogy to other parts of our society, really it would be irresponsible on the part of any government to turn around and abdicate its responsibility when it comes to dealing with an issue.

Mr Carr: He is more responsible than you are on other issues, too.

Mr Bisson: The member should keep his interjections to himself, please, until he has his opportunity.

The point is that we as governments, no matter what our stripe is, have to deal with the issues that are before us as a government and have to be able to make some distinctions and have to be able to make some decisions. The decision we made on this one, which we maintained as the principle we talked to outside of government before we got here and we maintain now that we are the government, is that we will put in place a common pause day that respects the right of the individual who decides not to work on Sunday to be able to have the opportunity to do so.

I am glad the member for Nipissing is in, because a little while ago, basically he was trying to say, why do we have to put this into legislation? No, that was the point from the other member; I am sorry. It comes back to what I said a little while ago. I lost what the member said a little while ago. Sorry.

Mr Harris: I would be happy to refresh your memory.

Mr Bisson: No, no. It does get giddy here about 7:30 at night.

In regard to the business people, I just want to say one thing very quickly and very clearly. The business community within my riding met with me and we worked together before coming up to this bill about this whole issue. They were concerned about what Sunday shopping meant to them as small business, because they were afraid that if you allowed wide-open Sunday shopping, what indeed you were doing was allowing the larger share of the market to go to the bigger companies and those who were in a small business did not have the opportunity to compete on such a level.

Mr Mills: I was rather alarmed that the member for Oakville South finds this piece of legislation so complicated. I do not find it complicated at all. He said about five or six times that there is no one, absolutely no one, who agrees with this proposed legislation. That is absolutely ridiculous. We have the support of this by Christian

churches and lobby groups; we have Tourism Ontario, which is in support; we have Fairness for Families, a broad-based coalition of business, community, labour and religious interests; all favour this legislation.

On a personal note, I can tell the member for Oakville South that I live on Wellesley Street. There is a little drycleaner's there. I was in there the other night. The guy identified me as being a member of the government. He said to me, "Am I ever glad that you guys are sticking with Sunday shopping." I said, "Why?" He said, "We came here in 1960." They work seven days a week, his two brothers and himself, and he says, "Sunday's the only day that we get together as a family." He said, "If this was wide open, the cleaner around the corner, Cadet, would be open, the cleaner around there, Sketchley, would be open, and my family life would be destroyed." So for the member for Oakville South to say that absolutely nobody supports this bill is absolute rubbish.

He said it is being backed on to the municipalities. We have given the municipalities the criteria to effectively come to grips with this. Those criteria are under some severe scrutiny. That is the way it is going to be and it is going to work, I am confident.

The Chair: The member for Oakville South has two minutes to summarize.

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Mr Carr: I am pleased in these last couple of minutes to talk about a couple of the points. First of all, it is kind of ironic that some of the members of the government side could actually talk about being fair to small business. This is a group of individuals who, when it came to the situation with the budget, are not taking a look at any tax relief for any small business. They are not taking a look at helping any small businesses with their measures, and it is ironic that they stand up and say they are helping small business when in fact nothing they have done since they have been in government has helped small business in this province.

In the most heavily taxed province in Canada, the most heavily taxed jurisdiction in North America, because they cannot tax any more, they run up this massive deficit. So small business is going to be paying years from now. There will never be any opportunity for tax relief because of what this government has done. They cannot stand up and talk about helping small businesses.

My friend the member for Durham East talks about his friend the cleaner. If it is as close to this Legislature as he says it is, this particular place would be classified as a tourism area, so guess what is going to happen: the municipality of Metropolitan Toronto could say that is a tourist industry and, whammo, that guy is going to have to be open because all the other places are going to be open.

There is going to be a tourism criterion. They will say the Legislature, a little bit of history in this place, is within close proximity, so they are going to be able to open up. Do you know why? Because in Metropolitan Toronto they are going to pass a bylaw that says this is a tourism industry. His friend who opened the cleaners is going to be facing those same competitors who are going to be open and they are going to take business away because the municipality

of Toronto can now open because of the tourism exemptions. I think they said it best: They are so broad they can drive a truck through them. That poor person is going to be coming to them a year from now and saying, "You let me down."

Ms Haeck: I wish to participate in the debate. I relish this particular debate because I was one of those people who made a presentation to the Liberal task force that toured St Catharines several years ago. I feel it is important to make some of those same comments on behalf of the workers who would be forced under previous legislation to work on Sundays.

It is essential at this juncture to draw to the viewers' attention, to your attention, Mr Speaker, and to the other members' attention in this House that this particular piece of legislation allows an employment standards officer to apply penalties under the Employment Standards Act, either to a worker who has erroneously made a petition or a complaint, as well as to a work site. None of the other members so far seems to have recognized that this piece of legislation in fact allows penalties to be applied as well as allowing the right to refuse to work, and it is essential we balance the right to refuse with penalties.

First of all, I would like to draw to everyone's attention that the Sunday shopping the members opposite particularly wish to refer to as being such an advantage to Ontario is in fact Sunday working. I want to also draw to their attention that so many of the workers they would like to see working on Sundays are in fact women, who are for the most part extremely low-paid employees, frequently making only minimum wage, who have no access to good public transportation in areas outside the metropolitan areas.

I can speak from personal experience because the people in my former work site, when they were obligated to work on Sundays—and I also have to admit that was not a retail establishment—faced two-hour-long bus rides to get themselves from their place of employment back to their homes. I consider that unacceptable, but in areas outside Metropolitan Toronto, Ottawa and Hamilton, public transit is not in the same position. It does not start at 9:30 in the morning; it does not run until midnight. In places like St Catharines, St Catharines-Brock specifically, there is no transit system running between St Catharines and Niagara-on-the-Lake. Any worker, any student, who happens to work at the Shaw Festival has a very difficult process and faces the prospect of hitchhiking. Hopefully, a parent can take time from his day to drive them back and forth to Niagara-on-the-Lake in order to be able to work.

Transit is a major problem for areas outside Toronto or, as I already indicated, Ottawa or Hamilton, because those transit systems are not that well developed. If a woman—and I will refer back to women—are low-paid women, which many of the retail workers are, how can they really afford to pay taxicabs back and forth from their work site to home? It is an extremely expensive proposition.

Further, I would like to draw members' attention to the fact that when we say Sunday shopping, as the members opposite seem to imply, is this great necessity and this great economic advantage, how do we deal again with women workers who have young children? Child care is not an option available on weekends; I defy all members

opposite to address the issue of supplying infant care on a weekend. It is absolutely non-existent. We talk about what Sunday shopping is supposed to be doing to the economy, but has the opposition truly taken into account the high cost Sunday working imposes on working women? It is a very high cost, frequently requiring single women to leave children in not-the-best child care situations. They are frequently required to pay exorbitant amounts for transportation, where it even exists, and in many areas, to date, there has been no protection for workers at all.

The previous pieces of legislation my colleagues have referred to so eloquently provided really no protection at all. When they framed a piece of legislation, they did not think about the many women they were forcing into unacceptable situations, and I am offended by that. I was offended by that four years ago and I am offended today that they now would like to make this grand gesture and say they were looking out for the shoppers of Ontario and for the municipalities.

The current piece of legislation as proposed by the Solicitor General and our government gives municipalities enabling powers to determine if the tourist areas, so described by the opposition, truly fit within the criteria of a tourism industry and should be approved for an exemption and therefore allowed to open on Sundays. But it has to meet province-wide criteria, and that is an element, I believe very strongly, the opposition has chosen to ignore. By setting down those criteria, by requiring those municipalities and tourism sectors to actually substantiate why they deserve an exemption, is not complicated. It is not confusing, as the opposition would like to portray it. In fact, it is a very simple process.

Is this building open on Sunday? I have to admit I am frequently not here on a Sunday so I am not in a position to speak to that. One of the members opposite said that the dry cleaning store down the road is all of a sudden going to fall within the framework of the tourism sector. I would strongly suspect the dry cleaning store does not truly fall within a tourism sector, since it is a relatively new establishment and, unless it decided to obtain some old dry cleaning technology, I do not think it would qualify as a museum and therefore would not lend a historical perspective to the dry cleaning industry in Ontario. Therefore, from my somewhat learned experience, having worked in the historical section of the St Catharines Public Library, I would venture a strong educated guess that they would not quite qualify under those circumstances.

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From that note of humour I would like to return this debate to something a little more serious, to demand that the opposition think of the workers in this province, and not imply that this is confusing or complicated. There are standards. There are many forms of legislation in this province that require standards and this is another one. They are simple, they are straightforward and they are easy to comply with. It is not a difficult process at all. We, as a government, have a strong obligation to protect workers, and this legislation, including the Employment Standards Act, does exactly what it sets out to do: it gives workers the right to refuse, gives workers adequate time

with their families and allows people the option of choosing not to work at a time when it could be of great financial and family disadvantage to themselves.

I commend the Solicitor General and the Minister of Labour for putting together the kind of legislation I can very easily support. I can say a good many of my constituents feel likewise, that this is the kind of legislation they would like to see and would have liked to have seen four years ago.

The Speaker: Questions or comments? Are there any other members who wish to participate in second reading debate? The member for Dufferin-Peel.

Mr Tilson: Thank you very much, Mr Speaker.

Interjection.

The Speaker: Sorry? We called first for questions or comments and there was no response, but were some members a bit tardy? The member for Oxford.

Mr Sutherland: I just wanted to pick up on what the member for St Catharines-Brock was saying about the impact of Sunday shopping on women workers. As I mentioned earlier, I worked in a grocery store for seven years and 75% of the people in my store—and I believe those figures are pretty valid for most of the retail sector, but particularly in the grocery store area—are women and many of them are working part-time already. Many of them are working a couple of nights, a minimum of two, maybe up to three nights a week already, when they are away from their family. They are also working Saturday. If we allow them to work on Sunday that will have a very negative impact, certainly on their family life and the time they can spend with their children and the rest of their family, and also in terms of having time for other relaxing activities.

I just wanted to re-emphasize that point, because I think it is very valid in the discussion about Sunday shopping. People do not seem to realize that many part-time people are already working many evenings, when the normal work week is the so-called 9 to 5, Monday through Friday. That is a very important point that needs to be re-emphasized.

The Speaker: Questions or comments? The member for St Catharines-Brock is entitled to two minutes, since there has been a comment by another member of the assembly.

Ms Haeck: I appreciate the comments of the member for Oxford, and I know there are many, many women out there working at this very instant who need this legislation to protect them, to give them an option, so that they can look after their families. From my own experience, I really do feel it is crucial and that it is a privilege to be able to speak on this topic this evening.

Mr Tilson: I listened to the comments from the member for St Catharines-Brock. Her comments, like many of the other comments I have heard, specifically from the government side, I question. I understand where they are coming from. They are saying, "We want a common pause day." But as I interpret what they are saying, I do not think they realize what they have done with this tourist exemption.

She indicated that it was impossible for an individual store to be designated a tourist area, in the example of the cleaning establishment, but I think if she reads the legislation a little bit more carefully, as it has been defined, she will find that not only large department stores, but specifically areas or even municipalities can be classified as tourist areas, and hence entire municipalities, entire regions could be technically classified as tourist areas.

I think that is the fear of many of us in this House, that in fact they are speaking out of both sides of their mouths. On the one hand, they say they are in favour of a common sense day, and yet they have not studied their legislation to realize that conceivably we could end up having the entire province—it is unlikely, but it is possible that large sections of the province could be classified as tourist areas.

I too was present, although I was not a member of this legislature, when the previous committee went around the province. I think it was under the chairmanship of the member for Brampton South. I too participated as a member of the public in those hearings. At that particular time, I was a councillor for the town of Orangeville in my riding and I was requested by our council to speak against that specific legislation that was being put forward by the previous Liberal government. I would imagine there are many members of the current government who, if they were not elected at that time, took the same position. I have not heard that, but my speculation is that it is the case.

Our particular hearings took place in the city of Orillia, where I spoke on behalf of my municipality. The issues addressed at that time were issues that most members in the government spoke of when they were seeking election or re-election last summer.

One of those issues was the issue of downloading, passing the buck to the municipality. There is the issue of the increased costs to the municipality to administer the previous legislation. There was the fear of litigation, of passing bylaws and having these challenged. There was the fear of the domino theory, in other words, one municipality passing a bylaw and the adjoining municipality passing it and so on and so forth until you had large blocks of municipalities that had passed the previous legislation.

There was no question that our municipality opposed the legislation. We simply did not like it. I guess the question our municipality put forward was, how much can society spend? Can you spend more in six days than seven days? How much more can we spend?

There is the issue of balkanization or the patchwork that was referred to. All these arguments were used by the government members, who were at that time in opposition, and many of us in our party whether you were in or out of the government against the previous Liberal legislation.

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When I attended in Orillia I listened to church groups, I listened to retailers, I listened to labour groups, I listened to women's groups, as well as our own representations and other municipalities'. They were overwhelmingly opposed to that legislation.

Yet if members study the current legislation that is being put forward by the Solicitor General, I think they will acknowledge that if the issue of the tourist area is not

properly defined, the same arguments government members were trying to avoid, the same problems they were trying to avoid when they were debating this issue around the province or when they were debating this issue in the election last summer, are occurring with this legislation.

The tourism definition could expand throughout the province. It could move from Windsor or from any of the border municipalities. That is where it could start, for example, and then the adjoining municipalities and so on, until we have large regions and large blocks of areas that, simply for economic reasons, have classified themselves as tourist areas, simply to survive, simply to meet the competitive market, to do the very thing that the government is trying to stop. I do not think the minister has thought that out. To listen to him now, it is as if the people in the province are guaranteed no Sunday shopping. Well, they are not. There is no guarantee of no Sunday shopping in this province.

The member for St Catharines-Brock referred to women's issues, and there are issues that are going to develop from that. There are issues with respect to day care, the increased requirements for day care, not only in the private sector but the public sector, as a result of shopping on Sundays that will result from the government's legislation. There will also be increased requirements for transportation services.

All of these issues were put forward by the NDP members and representatives from that party in the last election and when the hearings were going around the province, led by the Liberal government at that time. We are going to hear the same thing. I suggest that before we go out into the province to listen to the hearings the government clarify some of its definitions to avoid that.

The Solicitor General has stated that he does not think it is going to work. Now he is trying to clarify that, but given the very fact that he has made that statement, that he has acknowledged that we are going to have legislation that is not going to work, why in the world are we progressing with it? Why do we not withdraw the legislation and start all over? It is not too late to do that.

I compared the previous legislation to this legislation, because I believe the arguments we are going to be hearing from members of the public and perhaps from the same groups are going to be identical once they realize the effect of the definition the members of the government have put forward.

The tourism exemption will be administered by the municipalities. That is what the government has said. It has said that bylaws will be passed. The government has talked in the past about no downloading, "Don't pass on expenses to the municipalities." They said that in the last election. They have gone into it in other pieces of legislation, and now it is coming forward in this legislation. There is going to be more downloading put forward in this legislation.

When we study the issue and we go over what the tourism criteria are, they are very general. This has been referred to by other members of this House. For example, they list categories, such as historical or natural attractions. I do not know what that means. A municipality could put

any definition it wishes on that. It is a very arbitrary type of presentation that a municipality could put forward. You could have an old building. You could have a series of old buildings. That could be classified as a tourist area under this list of tourism criteria.

Second, the area has cultural or ethnic attractions. Our society is becoming more and more multicultural, so is every municipality around this province. Does that mean that if there is a specific multicultural group in any particular municipality, that area can be designated a tourist area? I would submit it does.

Third, the area provides a concentration of hospitality services. I do not know what that means. Does that mean that in a rural municipality if there is one hotel—I am obviously exaggerating some of these examples, but if we follow the definitions set forth in the act, it is a very real possibility.

In other words, the very arguments that occurred with the previous Liberal legislation are going to come forward. There is going to be a tremendous amount of pressure if a group such as all the retailers in the Eaton Centre decide that should be a tourist area. I can assure members there will be other areas in the city of Toronto, whether it be the Beaches or Queen Street West or other areas, that will say, "If they are designated a tourist area, for competitive economic reasons we should be as well."

We all know what is going to happen then. Other municipalities are going to say, "All our people are going to Toronto to shop, and therefore we should be designated as a tourist area and we will use the very definition—" You know, number 6, fairs, festivals or other special-event attractions are held in the area.

I do not know what that means. Does that mean that if you have a specific fair in a municipality, therefore the whole municipality can be designated as a tourist area? There is no specific definition as to what a tourist area is, so the domino factor is a very real possibility. We argued it with the past legislation and we are going to argue it with this legislation. Tremendous pressures will be put on municipalities to declare themselves as tourist areas, unbelievable pressures. It is not fair for this government to dump its responsibilities on to the municipalities.

The tourism exemption therefore gives, I believe, and it has been put forward by others, unrealistic powers to the municipalities to do what I believe is the government's responsibility. The definition of tourism is not really clear.

On the issue of balkanization, there could be pockets throughout the province that define the tourism criteria in different ways. There is no rhyme or reason to that. Since these are arbitrary decisions, you could have something in Sault Ste Marie which might be quite different in Cornwall. They might have entirely different interpretations as to what a tourism area is. Again, that is dumping the responsibility on the municipality, and all of the costs it entails, and hence local property taxes will go up to counter the responsibility that has been placed on the municipalities.

Again I submit that, contrary to what members for the government have said, there will be no common pause day. It may take some time. It is not going to happen

overnight, but there will be no common pause day, as has been suggested. We do not know how long that will take but I think if you follow the reasoning process in the same way that you reasoned the previous legislation, you will determine that there will be no common pause day.

The comment that there has been an effort in the legislation to stop employers from forcing employees to work on Sundays is an admirable statement to make. But the fact of the matter is that if employees do not work, there will be other ways. We have seen it happen. I am very dubious that clause will work. Yes, there are fines. I think it is \$500 for the first occurrence and \$2,000 or \$5,000 for the second occurrence after that. That is very admirable, but there are going to be other ways in which the worker will be penalized, in my view, that will be slight and will be very difficult to administer.

It gets back to the Solicitor General's comments. That portion of it will be very difficult to administer. I agree with him. It will be very difficult to administer that specific section. How do you protect the employees? He is right. It is going to be tough to administer that section, and it is going to be tough to protect the employees. There will be blatant examples, but then once you get past those areas, there will be other areas that will make it very difficult to assist the workers. So I do agree with the Solicitor General when he makes those comments.

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It gets back to the subject of plazas. Again, I am repeating arguments that were made for the past legislation. Plazas, for some unearthly reason—if the area provides access to hiking, boating, camping, fishing or other outdoor recreational pursuits that is a very general clause.

Think of the plazas around this province that are near those sources. All you have to do is persuade your council—the pressure may be on as a result of other municipalities' actions—and you have got yourself designated as a tourist area, and gone is the closed Sunday. So where is the common pause day? I submit that this government does not have a common pause day.

There is the whole issue that has been raised by other members—and I would like to comment briefly on it—the whole subject of legality. We have seen how legislation has been challenged. It has been suggested this legislation may be challenged as well, and I hope it is not. I hope the bylaws are not challenged if the government is intent on pursuing this legislation, because it is going to put a great financial burden on many municipalities.

There is a statement by the ministry that where there is a dispute over Sunday work or an employer takes action against an employee who refuses Sunday work, the employment standards officer will now be able to issue orders for compensation or reinstatement. I am not too sure what that means. Does that mean we are going to be creating a larger bureaucracy of employment standards officers? Is this going to create yet another large bureaucracy? I think it does, because obviously the government is going to have to be prepared for that sort of thing, and what sort of cost is that going to entail for the taxpayers of this province? How many more officers will have to be hired to enforce

is legislation, if indeed it can be enforced, and I submit it cannot.

What does the appeal process mean, the imposed appeal process? I do not know what that means in terms of cost. How many more people will have to be hired to enforce that? We have not heard much from the government, and I would imagine that as time goes on throughout the hearings, we will hear exactly what these other little side issues are, the cost of the bureaucracy in administering this legislation. I submit it will be substantial.

In brief, the tourist area will probably start in the border towns and, as a result of economic pressures, move outward. It might start in the Eaton Centre or someplace like that in the larger municipalities, but it will spread, and the pressure to classify tourist areas will be substantial.

The other question I would like to refer to briefly is the geographic boundaries of specially designated areas. How is that going to take place and what role would local municipalities have in the regional decisions on that designation? I will be looking forward during the hearings to hearing some of the regions and some of the smaller municipalities within those regions talk about that, because it could create some difficulties. Specifically, the legislation does not relieve the municipalities of deciding which stores can legally open Sundays and holidays. Stores and even entire shopping districts can apply for tourist exemptions to the law, with the eligibility for this spelled out for the first time in the new guidelines.

I ask some of the members to remember that the issues raised by my friend the member for Oakville South—his concerns are legitimate and they should listen to him before they set out around the province to debate some of these areas, because he is right. He is absolutely right. People think the government has created a closed Sunday; I am afraid it has given a false impression, because once we start defining a tourist area, we will find it has indeed done the exact opposite.

Again, I emphasize that with this legislation the province has saddled municipalities with the responsibility for granting exemptions to the lucrative tourist areas. They have certainly paved the way. They have prepared for battles between regional and local municipal politicians over Sunday shopping and the whole issue of what is and what is not a tourist area. The battle lines are being drawn, and that is regrettable, because that is what the last government did. These people were supposed to rectify all that, and they have not done that. They are creating a monster that is just as dastardly as the last government's in the type of legislation they have put forward.

I will be looking forward to hearing some of the comments that will be made by the people of Ontario on this legislation because I think it is not as simple as members from the government have suggested. I think they have created a very difficult, unmanageable and unenforceable piece of legislation.

Mr Harris: Let me first of all say I raised a question with the parliamentary assistant when I spoke last and asked him for his comments on the situation in Windsor. I see the minister is here now and I will perhaps repeat some of those concerns and ask the minister if he would care to

respond. The parliamentary assistant talked about Sketchley Cleaners, I think, and the cleaner that he had talked to, and how delighted this cleaning company was that we would not have wide-open Sunday shopping. I would ask the parliamentary assistant if he asked this friend of his, that is the cleaner, during the nine months when we had self-regulation, was Sketchley's open? Did he have to open? No, none of the cleaners were open on Sunday. Self-regulation works so well without any increased court costs, without any increased police, without any increased legislation, without any increased bureaucrats. But I tend to believe, as the member for Oakville South has pointed out, that if we get into Toronto declaring itself a tourist area because surely this building is historical and touristy in fact this legislation could easily lead to more opening than otherwise.

I also wanted to say how delighted I was with the comments of the member for Dufferin-Peel. I know all members of the House will join with me in applauding his remarks tonight and in encouraging him and saying how quickly he has grasped the legislative process. For a new member to have made remarks that outshine any that I have heard from across the floor, I think, is outstanding. I know his constituents in Dufferin-Peel will be delighted with the job he has done in presenting his viewpoints and in his expertise in understanding the nuances of this legislation far more than the minister does.

I do not have time to talk about Windsor, but perhaps the minister will respond anyway, as tonight they are passing third and final reading of the bylaw to have wide-open Sunday shopping because they said they could drive a truck through the minister's legislation. They are a tourist area.

Hon Mr Farnan: Normally, I suspect, at this particular time it is appropriate when a member of the House makes an effort to make a meaningful contribution to the debate, that members, when they stand up, recognize the member who has spoken and in some way either agree or disagree with him. I am kind of shocked that the leader of the third party would stand up and totally ignore the contribution that the member of his party made to this debate.

I respect the contribution of the member who spoke in the debate, and I am going to speak to that right now. I am simply going to say to him that his views are his views and he is quite legitimate in putting forward those views here in the House. However, the principles of this legislation remain intact. They are solid principles; they are good principles. They are principles that the member for Wellington, in fact, endorsed in his remarks to the House today.

It is impossible for me at this stage to answer the 25 questions that the leader of the third party put forward, as he refused to comment on the contribution made by the member of his party.

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Mr Sterling: I was here when the member for Dufferin-Peel spoke, or at the end of his speech, and then I heard the leader of our party, the member for Nipissing, stand up after. I do not know whether the Solicitor General

stepped out for a moment then; I do not believe he did. I think he was here. He must have been engaged by the member for Durham East because I distinctly heard the member for Nipissing praise the member for Dufferin-Peel for his understanding of the issue and how eloquently he spoke on the issue.

I want to say, as the caucus chairman of the Progressive Conservative Party, I could not be more pleased with the type of representation we have been able to get from our brand-new members, and I am talking about six, eight months ago. People like the member for Dufferin-Peel have shown the maturity in this House to speak more knowledgeably than any of the government members and also of the official opposition. When we are talking about the official opposition, we are talking of members who have been here for five or six or seven years. I am glad to see that one of them is with us tonight.

The Solicitor General does not have to answer our questions here. When we go through the committee process—if he shows up at the committee—he will be asked at that time. If he does not respond then, we will put the bill back in committee of the whole House and we will engage him here for days and days and days. We ask the questions at this time as a courtesy because we believe that by getting some answers from him at this stage we can cut down the time and be more efficient with the time of the Legislature and facilitate the process. But if he refuses, as he has, then he should expect a long process and expect opposition to just about every move he takes.

Mr Tilson: I am almost afraid to say anything after the compliments that have been flowing forward for fear that my remarks will be spoiled, but I will say to the Solicitor General that yes, my views are my views. But I have had some experience, specifically in my riding, with similar legislation that we had gone through some time ago with the Liberal legislation, as has he.

I believe the comments I have made are sound. I think the comparisons from the previous legislation to the present legislation are very similar. I believe the hearings will reveal the same type of submissions that were made with the Liberal government. I believe identical, similar comments will be made with his hearings as were heard with the Liberal government. It will remain to be seen what type of comments will be made, but I would predict that the same type of criticisms towards the Liberal legislation will come forward to his. If I am wrong, I am wrong. He is right—my views are my views and that is the way it goes. But I have thought about his legislation, I have listened to his comments of how he admitted that it is not workable legislation and I believe he is going to have problems.

Ms Harrington: I wish to make a few brief remarks. First of all, last summer I made a promise of a common pause day and our party made a commitment to take that responsibility very seriously.

Two years ago, the province, I believe, washed its hands of decision-making. That is the way I saw it. Municipalities felt at that time that they were dumped on, as the previous member has indicated; it certainly brought some distress to the local level.

I was on city council when that legislation came down and it was utter confusion. I also sat on the chamber of commerce, and much time was spent—not just then, but in many previous years—on discussions to formulate fair guidelines for tourism in our community, for what should be exempt from Sunday closings. These provincial guidelines are fair, they show understanding of the tourism business and they save—obviously this is one point—thousands of dollars for many municipalities and chambers of commerce and many other groups across the province from having to go through this again and again and redefine or reinvent the wheel for what guidelines should be used.

When I spoke last summer in the heat of the campaign I asked: “What do we want? Do we want a Las Vegas type of society where anything goes at any time of day and anything is available, where people don’t know what day of the week or what time it is; is it day or night?” I said “No, Las Vegas is the ultimate in commercial society.”

I wish briefly to contrast that kind of society with our own in Ontario. One example of a commercial society is across the bridge from my riding, in Niagara Falls, New York. A week ago was the 50th anniversary of the Rainbow Bridge. I got to go over and actually share some thoughts with the people and gave a speech on the sharing of our communities and what the bridge has meant to us and our border.

I spoke of the exchanges in many parts of our culture. For instance, my husband always brings his basketball teams over there to the local boys’ club and to Niagara University, and we go to Artpark. US citizens come across to our Niagara Falls and to the Shaw Festival, to partake in the Niagara parks, many beautiful things and, of course, the British heritage in Niagara-on-the-Lake.

The one thing I did not say is that the other way in which we are very much connected to the United States is through the many toxic dumps sites along the Niagara River, 200 in Niagara and Erie counties, 50 of those directly on the river, including probably the very worst in North America—the Hyde Park dump as well as Love Canal, the 102nd Street dump and the S area dump. My point is that anything does not go in Ontario. Commerce is tempered by environmental regulations, by labour regulations and also by Sunday shopping legislation.

I would like to read one line from a 30 May Toronto Star article that I am sure all members have noticed. Frank Jones comments on the differences in our two societies between the United States and Canada. He wrote:

“Business America has sold the nation on the three pillars of greed—cheap goods, big profits and low taxes.”

I would not necessarily agree with this, but I just thought I would let members know what he said.

“What we need to remember is that in Canada we’ve set ourselves a terribly difficult, maybe an impossible task. We have tried to create almost a Scandinavian-style social democracy right alongside the capitalist giant.

“With pensions and baby bonuses, with medicare and regional disparity payments, we’ve tried to create a decent society that doesn’t trample the weak, the ill and the poor.”

Certainly that is a very damning condemnation of US society, but there may be elements of truth in that and consideration for all of us in this House.

Let me go one little step further in our contemplation of our society, because I really think this issue of Sunday shopping is a large one, is a very historical one and comes to the fabric of what we want to be. In some senses it is broader than just a strictly commercial issue.

Erich Fromm, in his book entitled *To Have Or To Be*, describes two kinds of societies, a "having" society and a "being" society. A "having" society is based on materialism. He says acquiring goods flows from this materialism, we do greed, aggression and violence. He concludes that this will lead a society to psychological and ecological disaster, whereas a "being" society is based on responsibility and caring, meaningful human activity. I would like to pause and say yes, we do want jobs and industry and yes, we want to work with both business and industry, before the opposition accuses me of not believing that.

Finally, I would like to make two points. Ten years ago I stepped off a plane in Vancouver, British Columbia, for an NDP convention there. We were immediately handed pamphlets by the small business association. I have kept this for 10 years. The Small Business Association of British Columbia was endorsing its being able to work very well with the NDP government of British Columbia. That is a thing most people do not understand, that businesses in many provinces with New Democratic governments have gotten along very well and have flourished. We certainly want to work in that same regard.

I would like to end by thanking one of my constituents, Ray Matthews, who owns Drummond Home Hardware on Drummond Road. He actually sent me postcards last summer from the people of Niagara Falls saying they were definitely opposed to Sunday opening of business. The box is three feet long and two feet wide and it is in my office here in Toronto. I cannot lift it. That is clearly the feeling of very many people in the province.

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Mr Harris: I want to say a couple of things.

The minister referred to the comments of the member for Dufferin-Peel, saying, "His views are his views." This is very true. I know the member for Dufferin-Peel is very proud and pleased to be part of a caucus where he has the freedom to express his own views. That is not the case in all the caucuses in this Legislature. I wanted to say that as well.

I enjoyed the remarks of the member for Niagara Falls. I found them refreshing in the sense that I thought they were her views. I have not heard that from very many of my colleagues. Usually it is the party line, the NDP united, live or die, solidarity for ever—"Whatever the minister or the Premier tells me to say, that's what I say." I thought the member articulated some views. I do not agree with them all, but I thought she articulated them. They were her own and I thought they were put forward rather well.

I will be interested to see whether in the next few years Niagara Falls decides to shut down everything on Sunday. I tend to doubt that will be the case. Niagara Falls does not

strike me as that kind of community. In fact, when I think of Las Vegas, in Canada the closest I can think of is Niagara Falls. When I think of the Elvis Presley Museum and some of the other great attractions, I would venture to say that Niagara Falls will be open. However, the member may know better than I as she lives there. Time will tell.

I would be interested, though, in the minister's response to my question, which I will repeat for the third time. Windsor council held up third reading of the bylaw. They said: "We're going to wait. The minister's got new legislation." Tonight, as we spoke, Windsor council said: "We've looked at the new legislation. Obviously the minister wants it to be wide open across this province. Therefore, we'll have third reading of the bylaw tonight. Windsor will be wide open." Their understanding of the legislation is that it is an invitation saying: "Wonderful. If you want to open, go ahead and open." The minister should tell me how we are going to have common criteria across this province when obviously Windsor has looked at his legislation and said, "No, it means wide open if you want to be open."

Hon Mr Farnan: I want to apologize to the leader of the third party for not answering his question directly when he placed it the last time. Sometimes it is unfortunate. You may slip into a partisan stance. I apologize for that. I will answer his question, can Windsor pass a bylaw for wide-open Sunday shopping? The answer under the current legislation, the legislation of the previous administration, is very clearly yes. Any community in this province can open up. There is unbridled, unrestricted opportunity for any community in this province to go wide open, to rip it open and let it sing. That is the reason we are introducing this legislation, because under this legislation the answer would be no.

Seriously, any bylaw passed by Windsor or any other city after 4 June will be repealed on the day these amendments come into force. Only with a legitimate tourist exemption can they then apply to open up parts of that individual area, that community. Let's be realistic about this. There are going to be areas of the city that, even if they opened it city-wide, because of areas of space, etc., could not be recognized under the legislation.

I suppose if any question clearly distinguishes why the amendments we are proposing are necessary, it is the question put forward by the leader of the third party. When he asks, "Can Windsor open up? Can any other community open up?" let me tell him, every retail worker in the province shrinks at the thought that if this legislation is left in place, the current legislation, then indeed we could have wide-open Sunday shopping—which is precisely why this government is taking the steps it is taking.

Mr Sterling: I would like to thank the member for Niagara Falls for entering into the debate. I believe her interest in the issue is genuine and her concern is genuine. That leads me to asking the Solicitor General a question about Niagara Falls. Because of the nature of the bill, where it says that the area has historical or natural attractions, I would like to ask the Solicitor General if there is

any part of the Niagara Falls riding which would not qualify, under his bill, to have wide-open Sunday shopping?

Mr O'Connor: I want to thank the member for Niagara Falls for her remarks. I think she has shared a lot of her concerns. The member for Nipissing astounds me when he gets up and speaks after every speaker. When he had a chance to speak in this House on the budget debate he was not around to speak on it, but he spoke on caucus freedom, which really surprises me, because right now probably the biggest problem facing the member for Niagara Falls is the fact that the GST is driving business out of her community. I am glad they have caucus freedom there, because now they have said they are going to allow some free debate within their caucus.

Mr Sterling: On a point of order, Mr Speaker: I believe we are in response to the member for Niagara Falls. The member for Niagara Falls wanted to speak to the bill and I said I believed her intent was genuine, to speak to the issue. This member wants to wander all over the place. I ask you, Mr Speaker, to call him into line to respond to the comments of the member for Niagara Falls.

The Speaker: The member for Carleton touches on something upon which he may wish to reflect himself. He may wish to consult rule 24(a) in the standing orders, which specifies that members are allowed up to two minutes to comment upon things which are "relevant to the matters before the House." The spirit may be one thing, but the language is quite vague in that rule. I would certainly encourage members to respond to the person who had spoken, but I certainly am aware that the rule is not that specific.

Mr O'Connor: In regard to Sunday shopping in Niagara Falls, I am sure one of the biggest factors that faces that community right now is the devastation there because of the GST. Of course, the Tories in this House are very concerned about the economies of these border communities and are going to lobby the federal government to have that changed to try to help them out. I really look forward to hearing about this in the paper when they do that, because they are going to speak about that. It is too bad they could not speak about the debate in the House.

Anyway, I thank the member for Niagara Falls for sharing with us tonight her deliverance on the debate and I look forward to the caucus freedom that the leader of the third party talked about tonight. I wait for that day.

Ms Harrington: The one question that was raised was with regard to what part of Niagara Falls we would be dealing with for tourist exemptions. The city of Niagara Falls has businesses right now that have tourist exemptions, and those would be the ones I feel would certainly qualify to be exempt under this particular law; the rest of Niagara Falls would be closed. That is certainly the intent of this legislation.

2030

Mr McLean: I would like to comment briefly on this piece of legislation that is before us. I was pleased to know that the House leader got the approval to sit until midnight. I had not anticipated speaking quite that long, but it may go on for some time as I get warmed up a little bit.

I want to talk about the common pause day I hear so much about in this legislation. I would also be interested if the minister were able to answer the question my leader asked with regard to the stores that would be able to remain open in Niagara Falls, because I do not think that would really happen.

"Sunday Bill Is Flawed, NDP Admits," and the minister admitted it on Focus Ontario on Global TV. I find it rather odd that we have a piece of legislation here that the members of the government are very firmly entrenched in passing, when the very minister has indicated that the legislation is flawed. He says there is no question about it, it is true.

I am wondering, as we sit down and discuss this common pause day, when is the common pause day? Is it Sunday, Saturday, Friday, Thursday? What day is he referring to as a common pause day? When you look in the regulations, the tourism criteria, there is nothing within those criteria that would say that anybody would have to close on Sunday, whether it is a historical or natural attraction, a cultural or ethnic attraction. They say, "The area provides access to hunting, boating, camping, fishing or other outdoor recreational pursuits." All those activities would qualify to have legislation passed that would allow those businesses to remain open provided there are two of them together, and I do not know of anywhere that two would not qualify in this respect. The fair guidelines for tourism are not very well defined, in my estimation.

When the previous legislation was in the works, we were travelling the province having hearings on Sunday shopping.

Mr Carr: Did you see the chicken?

Mr McLean: At that time the Solicitor General did not have the chicken. He brought the chicken along a little later. But why does he not get a court ruling on this bill before it proceeds any further, to know whether it is constitutionally correct? Why waste the time of a committee travelling this province to determine whether this bill is any better than the previous Liberal bill that was brought in? I think we should get a hearing from the court to determine whether it is constitutional or not.

Now the committee is going to travel the province this summer and it is going to spend a lot of time listening to delegations pro and con with regard to this bill. It will indicate that a lot of people will be in favour and a lot of people will be opposed, and I know the government party will be with the people. That is exactly what will happen.

"Farnan Admits Sunday Law Is Flawed." It is the chicken way out, but the minister will probably take that way when we are done having the public hearings across this province.

Many business people think this is a government that is wearing blinkers, pushing this agenda forward to its own satisfaction, which it believes the people want. I am not sure that is exactly what will happen. Really, what we are doing is passing the buck on Sunday law.

Hon Mr Wildman: No, no—the bill, the bill.

Mr McLean: No, we are passing the buck. That is exactly what the NDP's ill-conceived proposal to ban Sunday

shopping in Ontario except in designated tourist areas could do, wreak havoc at the local government level. They are talking about the municipalities approving it; I'm not so sure it is going to hold water.

Open Sundays are totally inevitable across this province. I say to the minister there are two things: First, I wish we would get a court ruling on it, and the other thing that I wish he would do is to indicate to us what the common sense pause day is, what day it is going to be, and the amount of committee hearings he feels will be necessary to make the amendments that he thinks would be worth while.

Hon Mr Wildman: I always enjoy the comments of my friend the member for Simcoe East. I really think that he has provided us with a helpful suggestion in that he thinks we would be wasting our time to have committee hearings. I think it is unfortunate that he would suggest we should not hear from the people of the province, but since he thinks we should not be wasting our time in doing that, I think we would all like to proceed with his proposal, pass the bill on second reading, move immediately to third reading, have the bill passed, and then if at some point it has to go to court, have the court finally decide. We, as the government, think that would be a very appropriate way to approach things, and we thank our friend the member for Simcoe East for suggesting a way of expediting the procedures in this House.

Mr Sterling: I think it was a useful suggestion that the member put forward. I can understand his reason and logic, because if this bill in fact is doing nothing, as we allege, and is in fact changing nothing from the existing law, why waste our time with this whole process?

It does not make much sense that everything one reads in any of the legal journals and anywhere else says that this law is a complete farce, that you can drive a truckload of politicians through it. If that is the case, then quite frankly we should not be spending a lot of our time going across the province and talking to people about it. If it is unenforceable, if it will apply to all of Ontario, then really the law is for naught and therefore I think the member for Simcoe East has a good suggestion and I would support him in that.

Mr Conway: I have been listening to these last number of interventions, and I am really struck by the number of people in this chamber who want to go in and close places down.

Hon Mr Wildman: Like this House.

Mr Conway: No, I have been listening for the last couple of hours and the member for Algoma, in quite a lively way, was suggesting some entertaining possibilities. I am beginning to really think the best entertainment I can imagine is for some of these people to get their wish. I want to be there when, with a Queen's Park fiat, a number of these people, I suspect on all sides, go to Niagara-on-the-Lake or to Whitney or to Wasaga Beach and say, "I've got news for you—in the interest of public morality, you're closed."

I will get in the business of marketing the encounter between these characters and that circumstance, because I

think it will be both remunerative and productive of some very interesting energy-source material for the province.

I cannot believe people who have been around communities at any kind of public debate—I mean, I see things in my own county where, by virtue of history and local conditions, people have decided to do some things. I see these church picnics, as I say, often organized on Sundays, in ways and places that strike me as being somewhat at variance with what is offered from the pulpit, but none the less we gather by the score, and those people work like no one else in the community on Sunday for a lot of good causes. These people want to go, in the name of public morality, and close these people down. Well, I want to be there, because it will be a day not soon forgotten, and the lacerations will be many, I should think.

2040

Mr Hope: As I reflect on some of the comments that are being contributed by the Conservative Party, I have a really hard time understanding where they are coming from. I listened to the leader and I listened to a number of others talk about self-regulation of the industry and letting the industry regulate itself. It just tells me, as I reflect on some of the conversations about brothers and sisters, and I know it is awfully hard for them to get those words out of their mouths once in a while, but as they say about self-regulation, it means the workers will not have rights under this legislation—we provided the rights.

When I start looking at and listening to some of the comments that are being portrayed tonight as the issues of the community and the cost that is involved there, there is one extreme cost that is there, and that is to the families. I do not refer to this as Sunday shopping; I refer to it as Sunday work. Being an advocate on behalf of the labour movement before I was elected a member, I understood the issues the families were faced with, and that is what we fought on. If the ability was there for the small business people to compete on Sunday, it is not there because of the issues that are put forward. We talked about cross-border shopping as one of the issues. Sunday shopping is not a result of that problem, so we must look at that one.

I think it is very important, in listening to the members, which just tells me again—they criticize this government for lacking direction. I look at and listen to who has been contributing in this debate, and there is no direction over there. I reflect back to when the two people of the Conservative Party were running for leadership; one was for and one was against. Today we still do not know whether the Conservatives are for or against.

The opposition talks about self-regulation. The workers of this province need a lot of rights because they have been neglected for so many years and it is about time this government shows respect for those workers. We are putting forward legislation that protects them and their families.

Mr McLean: I would just like the last member who spoke to show me in this legislation where it is written in stone that there is any place that cannot be open any day of the week. There is no common pause day. Under all the tourism criteria, anybody in any municipality in this province will be able to open on Sunday.

It intrigued me a lot when I heard the member for Niagara Falls saying that the ones that are open now will continue to be open and nobody else will be able to be open. But if they meet those two criteria, they will be able to be open. She does not say that.

The member for Algoma, who was so quick to respond a few minutes ago, indicated that the Sunday shopping plan will help all the people of the province.

Hon Mr Wildman: That is not what I said.

Mr McLean: Well, pretty close to it.

Anyhow, I want to say to the people who commented, I appreciate their comments, and I can only say to the minister that he has my sympathy, as he and his parliamentary assistant travel the province to try to convince the people that the legislation he has introduced is right and appropriate for this province. I do not believe the majority of the people will agree with him, however his staff has drawn up this piece of legislation which he has to sell to the public.

If people do not want to work on Sunday, I agree with that. I do not believe they should have to, either. I think that as time goes on and public hearings take place, we will really find out who was right and who was wrong, and we will let it stop at that. I wish the minister would indicate, with this law that will be passed tonight, if there is anyplace in Windsor that has to close down.

Hon Mr Farnan: I am pleased to conclude the debate on second reading of the bill. The second reading of the bill has been very interesting and I want to thank all the members from all the parties who have contributed to the debate. It is not surprising, in my view, that there should be differences of viewpoint. Indeed the expression of views is precisely the purpose of second reading debate and of debate in this chamber.

However, I can say that I have not heard anything in the debate that would lead me to question the fundamental principles upon which the legislation is based. In fact, I would say I have heard much in the debate that reinforces the fact that the principles we have established in this legislation are the right principles. I heard members of the third party who stood in this House and actually endorsed the basic, fundamental principles of this legislation.

During the election campaign, in the speech from the throne and in the public comments on this issue by our Premier we have been consistent. We have advocated the promotion of a common pause day to strengthen family and community life. There is nothing new in this. This is not a new position for New Democrats. This is not a position of expediency. This is not something where we are on one side of the issue today and on another side of the issue tomorrow. This is a position that has been consistent for New Democrats as we have worked through the issue of Sunday work over many years.

In the recent consultations that took place through my ministry, the Ministry of Labour and the Ministry of Tourism, certain items were identified: the need for a common pause day, the need for some mechanism that provides uniformity, the need for the protection of retail workers and the need for a tourism exemption. These are the principles that we have lived by, the issues that were identified

in the consultation and indeed the principles that are enshrined in these particular amendments.

Interjections.

Hon Mr Farnan: Let me speak for a moment. I do regret the fact that we are having these partisan interjections. We have had a very civilized debate, a debate in which people listened with some degree of dignity and decency throughout the entire day. It surprises me that on the one occasion that I as Solicitor General have to address the issue, the debate is debased by this kind of cheap interjection. It is unfortunate.

Let me emphasize the significant difference of this legislation from previous legislation in the field. Some attempts have been made during the course of today's debate to compare the amendments we are bringing forward to the type of legislation that existed under previous administrations, be they the Conservative administration of bygone days or the more recent Liberal administration.

There is no comparison between what we are introducing and what was in place under the Conservatives and the Liberals. It is totally unjustifiable to make that kind of comparison.

While they talked about a tourist exemption, the Conservative legislation had absolutely no definitions. We heard that by admission today.

The Liberal administration's approach was to wash its hands completely of the issue. They simply passed the issue to the municipalities and had absolutely nothing to do with it. They gave to the municipalities unrestricted and unbridled opportunity to apply the legislation in whatever way they liked. Indeed, the leader of the third party raised a very significant question. Under the current legislation can a city open wide open? Yes, it can. Under the current legislation as it exists, which was brought in by the Liberal government, any city in the province can open wide.

That is not good enough and that is why we changed our approach. Instead of a municipal option, which the Conservatives and Liberals have used, we talked about a partnership between the province and the municipalities. We brought in provincial guidelines for legitimate tourist exemptions. We talked about a partnership that combined responsive local administration with responsible central co-ordination. It is clear that is very far removed from the type of hands-off approach of the Liberal and the Conservative governments. We brought in a mechanism that provided for some degree of uniformity, some degree of consistency, some degree of fairness. It is essentially legislation that is balanced.

2050

Let me talk for a brief moment about tourism within this legislation. We have recognized the unique needs and requirements of the tourism industry in Ontario. We have recognized the fact that this industry is a cornerstone of our economic prosperity. Over \$15 billion is generated through this industry in the province.

Within this legislation, we have said that we will not only maintain the industry but will allow the promotion of the industry. The opportunities we provide in the area of tourism are available to every community, border communities and

well as communities that are further removed from the border. Every community in this province has the opportunity to take advantage of those in a creative way, developing within its area a realistic tourism option that is legitimate.

Here is a quotation from the Minister of Tourism and Recreation:

"This approach will enable tourism industries to work with their municipalities to capture the tremendous economic and social benefits of tourism. These amendments reflect a renewed understanding of the significant role that tourism plays in Ontario communities."

It is absolutely a first in the province. This is the first government that has ever recognized tourism within this particular sphere. We are very proud of the fact, as we protect retail workers, as we work towards a common cause day that strengthens family and community life, that we also recognize the unique needs of the tourism industry and the small businesses across this province that are dependent upon it.

As minister, as I travel around, I find support not just from retail workers. I am finding it from church groups, from small business people, from all kinds of people across the province. They are saying to me, "You know, this was a tough issue, but you faced it head-on and in fact you have provided the kind of balance, the kind of legislation that provides the kind of leadership this province requires."

Let me talk for a moment about enforceability, a matter that has come up within the debate. One of the areas of the legislation is amendments to the Employment Standards Act which allow retail workers to refuse Sunday or holiday work, guarantee 36 continuous hours of rest in every seven-day period and strengthen the role of employment standards officers in dealing with employee grievances.

I am quoting the Minister of Labour:

"Thousands of retail workers will have the absolute right to refuse Sunday or holiday work without fear of losing their job or facing disciplinary action. I believe this is an important step towards improving the quality of life in Ontario."

Mr Elston: You have told us how enforceable it is.

Hon Mr Farnan: Some attempts have been made to attribute quotations to me that were never made. I have accepted the fact that indeed enforceability is going to be a challenge, but because something is a challenge, because something is difficult, does not mean you do not do it. In fact, it is precisely the kind of challenge that New Democrats are prepared to take on. A challenge may turn the Conservatives and the Liberals away from an issue, but not the New Democrats.

Workers are going to know that this legislation is enforceable, and they are going to know that because we are going to enforce it. Employers are going to know that this legislation is enforceable, and they are going to know that because we are going to enforce it. Workers and employers are going to work together with this legislation because

they know this government is committed to the legislation and is going to enforce the legislation.

If we were to take the kind of thinking of the opposition parties, think of the state of the world, that because something was difficult and was a challenge that people should not do it, we would still have slavery in the southern United States, because people would say, "It's too difficult." We would still have children working in families because people would say, "Oh, it's too difficult." If something is worth doing, it is worth doing and it is worth the effort. The government of this province is determined to protect retail workers. We do not care if it is difficult. We are going to do it.

Let me simply say that as we move ahead with the legislation, I feel very proud and honoured to be carrying the legislation on the part of the government. But as we move forward with the legislation, I want to make it perfectly clear that the principles enshrined in the legislation are not negotiable. Let me repeat once again what those principles are.

This government is firmly committed to a common cause day that strengthens family and community life. This government is committed to working in partnership with the municipalities by providing provincial guidelines, by bringing a central co-ordination factor to the ingenuity, creativity and sensitivity of the local communities as they apply this legislation within their areas. Without question, this government is committed to the principle of the protection of retail workers. This government is committed to the principle of legitimate tourism exemption in order to support a unique industry with unique requirements and an industry that we recognize as a cornerstone of the economy of Ontario.

Let me say in conclusion that when you have good, sound legislation, you are proud to carry that legislation out to the province. I look forward to taking this legislation around the province. We are prepared to listen, we are prepared to have a dialogue with the community, on the understanding that the principles enshrined in the legislation remain constant. We are prepared to have some discussion that may cause fine-tuning. We accept that. Fine-tuning is acceptable. The principles remain firm and solid.

I want to wish well the members from all of the parties who will carry this legislation around the province. I know they will listen carefully to the input of groups as they come forward, and I am looking forward to working with them throughout the summer months.

Motion agreed to.

La motion est adoptée.

Bill ordered for standing committee on administration of justice.

Le projet de loi est déferé au comité permanent de l'administration de la justice.

The House adjourned at 2101.

ERRATUM

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First Session, 35th Parliament

Official Report of Debates (Hansard)

Tuesday 18 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mardi 18 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 18 June 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

SPECIAL EDUCATION

Mr Daigeler: On 27 June 1990, Richard Johnston, the then member for Scarborough West and now NDP-appointed chair of the Council of Regents, strongly supported in this House my efforts to speed up changes to the special education act. In particular, I asked that school boards be allowed to provide educational services to developmentally handicapped pupils beyond the age of 21. At the time, the then Minister of Education, the member for Renfrew North, promised that appropriate reforms could be introduced in the fall.

We all know that the government has changed since then, but my interest and concern for this matter has not. I have been informed that the Ottawa-Carleton four-board co-ordinating committee for the developmentally handicapped has recently petitioned the minister to fund a post-secondary education pilot project in the Ottawa area.

I urge the minister to give speedy approval to this request and to be consistent with the NDP's position when it was the official opposition. Richard Johnston upbraided the Liberal Minister of Education last June by saying, "The minister knows that by delaying action on special education reforms, he is taking away the right to an education." The new government has a strong moral responsibility to carry through with its own party promises. Reforming the special education act is one of these, and I expect the minister to honour the NDP's commitment to the more vulnerable members of our society.

YOUNG DRIVERS

Mr Jackson: Last week was a week of mourning in Burlington. Last Tuesday, Christopher Evans, John Lewby, Jodi Robins and Scott Grenier were all killed when their car went out of control on 1 Sideroad between Quelfh Line and Walker's Line. Two days later, Carly MacNeil was killed and four others injured in a similar accident near Milton.

Death is always a tragedy, but the death of young people who are only beginning to experience the fullness of life comes as an especially acute shock. That shock is being experienced first and foremost by the families of the victims and by their school friends. I would like to take this opportunity to extend the sincerest condolences of all members of this House to the grieving families and friends of those five young people, whose memory will never be forgotten by the community of Burlington.

This tragedy has also focused our collective concern by asking the question, why? I would also like to echo the call of the Halton Regional Police and the association, PRIDE, People to Reduce Impaired Driving Everywhere, for tougher driving laws, including graduated driver's licences

and limited-to-daylight driving for young drivers, which would help prevent future such tragedies.

Forty per cent of all those killed on our highways are teenagers. I call on the provincial government to move ahead quickly with legislation which would ensure that young people are allowed to drive alone only when they have achieved sufficient levels of experience and responsibility behind the wheel. Such legislation will indeed be a fitting memorial to the Burlington youths whose tragic deaths will have at least served to provoke needed legislative action on behalf of all young drivers in the province of Ontario.

JOHN STOREY

Mr B. Ward: I am very pleased to rise today to recognize John Storey, a lifelong resident of Brantford. Mr Storey is not a celebrity, a famous business person, a politician or a labour leader and as a result will not have a building, a bridge or a city street named after him. Mr Storey is a working person who raised a family in Brantford and, like all working people, did the best job he could for the many years he worked on the shop floor of Gates Rubber.

The reason I am honouring Mr Storey today is to give him the recognition he deserves for the years of volunteer service he gave to his union, the International Rubber Workers, and to the community of Brantford. Mr Storey spent many years on the health and safety committee in an effort to improve working conditions for his union brothers and sisters. He was a regular participant at the union local meetings and is always willing to support other workers during labour disputes.

Mr Storey's involvement in our community is quite extensive. He was co-chair of Brantford's wonderful 1967 centennial parade. His efforts resulted in the restoration of Brantford's oldest fire engine for public display. Since 1983, Mr Storey has worked towards improving Brantford's waterfront. He is currently a member of the Mohawk Lake task force, a community group working towards the cleanup of Mohawk Lake.

Mr Storey recently retired from his job and is now working with his fellow seniors to improve their quality of life. He has never sought public recognition, but I want the people of Ontario to know that I am proud to call John Storey my friend. To John I say: "Tend your garden, have a cold beer and enjoy your retirement, my friend. You have earned it."

ASSISTANCE TO FARMERS

Mr Cleary: I would like to spend a few moments this afternoon talking about the NDP's record on agriculture and its continuing effort to figure out which end of the cow is which.

In March we heard the Minister of Agriculture and Food and the Treasurer say that farmers would have to wait for over a month, until the budget, for news on an

interest rate relief program but, under pressure from farm groups and the opposition, the NDP changed its mind and announced a program in the beginning of April.

At the spring cabinet meeting with the Ontario Federation of Agriculture, the Minister of Agriculture and Food told the farmers that the NDP had done enough for farmers and there would be no provincial commitment to the net income stabilization account program this year. This was in contradiction to the support he announced for the program in the fall.

Then later in the session, the minister did another about-face and announced a limited commitment to the net income stabilization program. It is obvious that the minister continues to be left out standing in the field when it comes to agriculture.

1340

OATH OF ALLEGIANCE

Mr Turnbull: Since being elected as Ontario's first socialist Premier, the Premier has succeeded in a record number of flip-flops. The most recent and dramatic example was last Thursday when our Premier, applying his principle of "If you don't like these standards, I have others," stretched the credibility of his Spandex guidelines to the breaking point.

In April, his rejection of the position of vice-patron of the Royal Canadian Military Institute was just another of a growing list of royal snubs but, unlike his earlier unexplained absence from the Queen's birthday parade, the Premier at least had the good sense to reconsider and reverse his decision. I wonder if he first discussed it with his new adviser, the member for Brant-Haldimand, and received his recommendation.

Since this is the flip-flop Premier, I wonder if he might now consider flipping his biggest flop and reverse his government's controversial decision to remove the oath to the Queen required of all new police officers.

SENIOR CITIZENS

Mr Frankford: As members are aware, the city of Scarborough has a population that, like the province in general, is multicultural and increasingly elderly. I am glad to inform the House of some initiatives in Scarborough East to address the population's future needs.

Seven Oaks is a Metropolitan Toronto home for the aged which has a certain number of beds for Armenians. This is an excellent approach to make individuals feel comfortable, with the assistance of care givers and volunteers who know their language and customs.

Masaryktown is a co-operative housing project that has just been opened, where a number of Czechoslovak seniors will be living.

The Momiji Health Care Society is a non-profit organization that is concerned with the health care of seniors of Japanese origin. It is constructing an apartment building for seniors in my riding. Two floors of the building will be for health-related amenities, and they plan to offer facilities for care of the broader community outside.

The announcement by the Minister of Community and Social Services about long-term care last week has been

warmly welcomed. I am sure it will be of great help to voluntary community organizations such as these that have taken initiatives in providing housing, and I am pleased to note that the minister stated priority would be given to develop support programs in co-operation with non-profit housing. We can look forward to the provision of necessary support services while seniors continue to live in settings that understand their language and culture.

I would also like to recognize at this time the work and resources that volunteers in these organizations have put into these projects.

MICHAEL SMITH

Mr Miclash: I rise in my place today to praise the efforts of one of my constituents. Michael Smith, a student here in Toronto, hails from Kenora and, under the direction of coach Andy Higgins, has proven himself as one of the world's top athletes in the toughest track and field event—the decathlon.

Some of the members will remember when I introduced Michael here in the Legislature some two years ago. At that time he was recognized as an up and comer in the world of sports. Today he is ranked as one of the world's top three in this event.

The decathlon is a 10-event, two-day contest. In the first day, the events include the 100-metre run, the long jump, shot put, high jump and the 400-metre run. On the second day, it is the 110-metre hurdles, discus, pole vault, javelin and the 1,500-metre run.

This past Sunday, Michael became the first North American to win the decathlon championship in Austria when he scored 8,427 points in this event. This 23-year-old native of Kenora is beginning a historic trek to become the world's best. Over the summer he will continue to prepare for the world championships in Tokyo next September.

Even though he has yet to return home, might I ask the members of the House to join with me in congratulating this fine young athlete.

LAGOON CITY

Mr McLean: My statement is directed to the Minister of the Environment. I am pleased to see the Premier here and I wish he would listen closely.

It has been brought to my attention by a large group of citizens in my riding of Simcoe East that this government and the Minister of the Environment in particular, have steadfastly refused to listen to their concerns or even to acknowledge their existence. The situation concerns the development of Lagoon City, an urban resort town on the east shore of Lake Simcoe. A constituent who represents a cottage association has requested an environmental designation of the development under the auspices of the Environmental Assessment Act. This is his democratic right and this party supports and encourages such participation in the public process.

However, this designation request represents only one point of view from my riding. There is a large and growing body of the community that understands the dramatic impact that an environmental designation of Lagoon City

ould have upon the social and economic fibre of Marathonship.

A letter, dated 25 January 1991, was sent to the Minister of the Environment from the president of the local community association, representing nearly 4,000 residents. The minister refused to even acknowledge its correspondence. A follow-up letter, dated 24 May, was sent and so far there has been no acknowledgement. Since that time, copies of letters to the minister and the Premier have been pouring into my office. To date there has not been the slightest acknowledgement of the concerns of my constituents.

I want to say to the minister that they want to meet her and want to discuss this with her. I have sent a letter asking for that request. Will she acknowledge it and meet with these constituents?

PIGEON LAKE ENVIRONMENTAL ASSOCIATION

Mr Drainville: I would like to take this opportunity to comment on the significant accomplishments of the Pigeon Lake Environmental Association. This wonderful group of constituents has worked very hard and it has been in existence for only just a year. They have done a great deal to raise public and political awareness of important issues relating to the quality of the environment in their own community.

Pigeon Lake is part of the Trent-Severn waterway and is a major attraction for boaters and cottagers as well as those who make their permanent homes in the region. The Pigeon Lake Environmental Association has raised concerns about the quality of water, the adequacy of environmental safeguards and planning and development in the area and has made a major contribution to upgrading and restoring the shoreline. It was instrumental in arranging for 10,000 trees from the Kawartha Region Conservation Authority to be planted along the shore. Another project of the association has been the effort to protect Boyd Island park land and as a wildlife sanctuary. TVOntario will be filming a documentary on Pigeon Lake that was the result of another association effort.

As I have illustrated, this hardworking and ambitious group of environmental activists is having a strong and positive impact on the community and setting a laudable example for other community groups, not only in Victoria-Haliburton but throughout the province.

VISITORS

The Speaker: I invite all members to welcome to our assembly this afternoon a delegation from the Midwestern Legislative Conference of the United States, seated in the Speaker's gallery. It is headed by Representative Corliss Bushnik of North Dakota, vice-chair of the MLC. He is accompanied by the Honourable Robert F. Griffin, Speaker of the Missouri House; Senator Bill Hutchins, majority leader of the Iowa Senate; and Senator Roger Moe, Minnesota majority leader. Would you please join me in welcoming our guests to the assembly.

STATEMENTS BY THE MINISTRY

AFFORDABLE HOUSING

Hon Mr Cooke: There are many individuals and organizations in our communities working for people who need safe, secure and affordable housing. We applaud the dedication of these groups, which we view as our partners, and recognize that they need resources to continue their good work.

That is why our government is committing \$3.7 million this year to help them help themselves. I am pleased to announce a new, innovative program today called Partners in Housing. This program will mean continued support for community-based non-profit and co-operative housing groups as well as continued support for housing advocates striving to increase community acceptance of affordable housing. In addition, Partners in Housing will now expand this funding beyond the non-profit sector to groups that work on behalf of tenants living in private sector housing.

The grants will be allocated for a wide range of activities. For example, a tenant group might decide to operate a telephone information service that gives tenants the knowledge and direction they need to secure their rights. Funding may also be provided for conferences or workshops where people can share their ideas on how the rights of tenants can be enforced. Challenging discriminatory rental practices in the private and public sector is another worthwhile way community groups may use these grants.

I am pleased to say the \$3.7 million in grant money is the most funding ever made available for these types of services. Partners in Housing will enable community groups and municipalities to continue working for affordable housing and partnership with our government. I believe this initiative is another example of our government's commitment to move towards greater social and economic equity for all. I am pleased that the government of Ontario is assisting these worthwhile efforts.

1350

POLANYI AWARDS

Hon Mr Allen: University research in the sciences and in the humanities plays a vital role in helping to develop and sustain the province's social, economic and cultural wellbeing. Through university research, new and innovative ways of solving problems are found, opportunities are created and the human condition is enriched.

Five years ago, the research of one man at the University of Toronto gained worldwide acclaim. That man is Dr John Charles Polanyi. One reward for his dedicated research was the honour of being named co-recipient of the Nobel prize in chemistry.

In 1986, to commemorate Dr Polanyi's great achievement, the Ontario government established the John Charles Polanyi prizes. The Polanyi prizes recognize academic excellence and are awarded to students who are pursuing their post-doctoral studies at an Ontario university. The prizes are presented in the academic disciplines for which the Nobel prizes are awarded—physics, chemistry, literature, physiology and medicine and economic science. Each award consists of a \$15,000 cash prize.

Since the inception of the award, 17 exceptionally talented young men and women have been chosen to receive this prestigious prize. Today, it is my great pleasure to announce the selection of four more outstanding scholars who will be added to this list. They will have the distinction of being the recipients of the 1991 Polanyi prizes.

They are Dr Richard Burgess, of the department of classical studies at the University of Ottawa, who receives the prize in literature for his work in reinterpreting literary-historical texts of late Roman antiquity; Dr Warren Piers, of the department of chemistry and biochemistry at the University of Guelph, who receives the prize in chemistry for his work in organometallic chemistry; Dr Douglas Tweed, of the department of physiology and ophthalmology at the University of Western Ontario, who receives the prize in physiology and medicine for his contributions in mathematical modelling in the neurosciences; and Dr Lawrence Widrow, of the Canadian Institute for Theoretical Astrophysics at the University of Toronto, who receives the prize in physics for his work in cosmology.

I am sure all of my colleagues in the House will share with me in offering congratulations to these four very worthy recipients of the Polanyi prizes and in wishing each one of them continued success in their academic careers.

POLITICAL ACTIVITY BY POLICE OFFICERS

Hon Mr Farnan: I am pleased to inform this House that my ministry is releasing a discussion paper today called Political Activity Rights for Police Officers in Ontario. We hope that the input of interested parties and affected groups, through this discussion paper, will help us develop regulations that will best serve the needs of the police and the public.

Ultimately, the regulations we will develop with both public and police input will strike a balance between the rights of all Ontarians to receive the same high degree of impartial and politically neutral policing services they have come to expect and the rights of individual police officers as members of their communities.

The evolving roles of police officers in their communities are recognized by the provisions of the new Police Services Act. Its regulations support the premise that the police operate as part of their community, not apart from their community.

In conjunction with this, one of the key issues we will be examining will deal with political activity rights for police officers when they are off duty and out of uniform. Previous legislation did not address this issue of political activity for municipal police officers.

In the absence of legislated regulations on political activity for municipal police officers, some municipal police services developed policies on permissible political activities while others did not. This resulted in widely varying local practices with respect to political activity for municipal police officers across the province. New regulations will clarify and guarantee their political rights while ensuring province-wide consistency and fairness.

Political activity rights of all police officers in Ontario, municipal and OPP, will be addressed by our discussion paper. This is in keeping with our objective to develop, in

parallel with the Human Resources Secretariat, a legislative framework that will apply fairly and equally across the province.

This consultative process will take place at the same time the Human Resources Secretariat examines political activity rights for crown employees. This will ensure consistency in our approach to these two situations. We will also consider the impact of the recent Supreme Court of Canada decision regarding political activity for federal public servants.

The role of police in Ontario is a special one. Their performance is an essential component in the quality of life we all enjoy in this province. That is why the tradition of politically neutral police service must be preserved and protected.

I invite all interested Ontarians to participate in this consultative process. This discussion paper is a public document and we welcome all written submissions to my ministry up until Friday 19 July 1991.

RESPONSES

AFFORDABLE HOUSING

Ms Poole: We welcome today the announcement by the Minister of Housing that he is continuing the Liberal government programs regarding housing advocacy. However, I must say I am somewhat surprised that the minister is calling this a new initiative. It is a new name—members should not get me wrong; we like the new name—but it is definitely not a new initiative.

In fact, what the minister is announcing today is a continuation of three Liberal programs which have successfully helped tenants reach a level playing field and successfully helped to combat the not-in-my-backyard syndrome. We very much support those goals. We also very much support the increased funding the minister has announced today, but it is almost two full months since the government brought in its budget and daily we have been awaiting an announcement by the Minister of Housing on what he intends to do with building non-profit housing.

Now is the time to do it. The construction industry is in disarray. We could build non-profit housing for the most cost-efficient amount of dollars and yet the questions still beg to be asked. The minister has not told us whether the Homes Now program is on track. Is he going to be able to build the 30,000 units he has promised by the 30 September deadline? Is the minister going to be able to build the 10,000 units he promised this year? What are the answers? We are waiting to hear them.

POLANYI AWARDS

Mr Daigeler: I join the Minister of Colleges and Universities in congratulating the recipients of this year's Polanyi awards. It is always a great pleasure to see successful researchers in this province and to acknowledge with special recognition by the province their important work for future innovation in Canada.

I must say I was also pleasantly surprised that the new government is still supporting the idea of some financial reward for excellence in education. Perhaps the government has had a change of heart and mind. I hope the

minister of Education perhaps is going to follow that example with regard to the Ontario scholarships, because there too I think we need recognition for excellence, and excellence in education in particular.

I would like to say to the minister, though, that I was quite frankly expecting a very different announcement. If the minister would listen for a moment. The universities have been waiting for some two months now for the announcements with regard to capital construction. When is he coming forward with those announcements? We have two weeks left in this House and the universities are getting very nervous with regard to the intentions of the minister.

I would also like to say, surtout pendant cette semaine qui est très importante pour les francophones de cette province, qu'on s'attendait à l'annonce d'une installation permanente pour la Cité collégiale à Ottawa. On n'a encore rien entendu du ministre ; j'espère bien que, au cours des prochaines semaines qui nous restent, il y aura une annonce à cet égard.

00

POLITICAL ACTIVITY BY POLICE OFFICERS

Mr Curling: Any effort by the Solicitor General to do any kind of work is always welcome. I ran into the House yesterday hoping he was going to bring about many of the regulations that are outstanding and save that for consultation. Therefore I welcome this part of it. I hope that he is consistent, that he will bring forward all the other regulations that are so long awaited and be open for discussion and for the public to see.

Yesterday I was a guest speaker at a recruiting of new police officers, and they spoke about the separation and the neutral aspect of keeping away from political interference in the justice system. I emphasize that. I hope the minister and his party can continue to exercise that type of strategy. We are very disappointed this is not the indication and this is not the intent of his party. We want real consultation. We hope that this time it is not a sham like what they have done in the past, that they have opened it up and not shut other people out from consultation.

We look forward to the other regulations that are so long awaited. I ask the minister: Where are these regulations? I know it is important that we have police officers participate in the political process in a very neutral way. What about the other regulations that are so important, of enforcement, of use of force by officers—things that are awaited by the community? I am extremely disappointed. The minister is dragging himself slowly. We need the other regulations and we need the consultation to be real consultation.

AFFORDABLE HOUSING

Mr Turnbull: I am responding today to the announcement by the Minister of Housing. In his statement he says he is proud of the fact that it is the most money ever allocated.

It is quite obvious that this is the most confusing legislation that has come forward, that they are expecting they are going to need the most money and that there are going to be the most court challenges.

It seems unfortunate that the minister cannot grasp the fact that we have people in this province who are paying

40% and 50% of their gross household income in rent. Instead of addressing the core problem of those people being able to afford their rent, the government is tinkering away with the system and supporting groups which should not need funding. People should be able to have fair housing and affordable housing, but it will never happen under this government because it believes in blanket legislation which helps people who are paying an average of 17% of their gross family income instead of helping those most in need.

I ask the minister what quality criteria he is expecting to have and what the political affiliations of these advocates will be. This is the minister who has said he is allergic to landlords. I think he should be ashamed of himself and consider that we should have some equality in the system and have some fairness towards both tenants and landlords.

POLANYI AWARDS

Mrs Cunningham: It is not often that we have the opportunity to stand up in this House to speak in honour of one of Canada's Nobel prize winners such as Dr Polanyi from the University of Toronto, who won the prize in chemistry.

I will say also it is that person who is most upset with this country and this province, because of course we do not respect, honour or support the research and development necessary for Canada and Ontario to be competitive in the world. It is young people who are missing out.

Today we honour some of those young people who have chosen to stay in this province to do post-graduate research. We honour Dr Richard Burgess, Dr Warren Piers, Dr Douglas Tweed from the department of physiology and ophthalmology at the University of Western Ontario—a special one for myself—and Dr Lawrence Widrow. We wish them the very best in their future studies.

We would also remind the minister that we have given him some specific advice on where he can move in order to support the research and development so necessary to the economics of this country.

We ask him to take a look at the WISE award for women in science and engineering. We ask him to take a look at the teacher training in this province. We ask him to take a look at skills development and apprenticeship programs that should be offered to our young people. Above all, we ask him to take a look at the reasons why young people are not as interested in science and mathematics as we would hope they would be. We share those views and our concerns with the Minister of Education.

POLITICAL ACTIVITY BY POLICE OFFICERS

Mr Carr: I am pleased to rise and talk about the statement by the Solicitor General. I too am pleased that we are going to be having some discussions on this issue.

One of the concerns I have, though, is that this process may end up like what happened during the standing committee on finance and economic affairs. The submissions were piled, as I said yesterday, as high as the Treasurer, and yet when the budget came out the government completely ignored them. Everything that was done was completely

ignored. I hope that will not happen with this discussion paper.

I hope 30 days will be long enough to do it, because when we look at the activity of this government over the last little while, when the police forces across this province do get involved in political activity, it will certainly be against this government.

Everything the government has done has been against the police forces, from the oath to the Queen to the appointment of people like Susan Eng, who has been critical of the police in this province. What the police forces in this province will be looking forward to is for the first time consulting on some substantial issues where the government actually listens, not like in the finance and economics committee where the submissions are piled this high, all the submissions come in and then the government does what it wants anyway.

We want real consultation where the government listens to the people of this province. If it does that, we will be happy. We are going to be there following each step of the way to make sure it happens and to make sure the police in this province are representative of what is going to go on in the next period of time in this province.

POLANYI AWARDS

Mr Jackson: When the Minister of Colleges and Universities invokes the name of Professor Polanyi on behalf of the academic community in this province, we ask the government to reconsider the fact that it is sitting on \$40 million of research money given to it by the federal government from the pharmaceutical manufacturers of Canada. That is \$10 million for four universities, and the government puts it into general revenues.

Put it into research. That is what the professor would say if he were in the House.

CONFLICT-OF-INTEREST GUIDELINES

Mr Sorbara: Mr Speaker, I rise today on a matter which I believe to be both a point of order and a point of privilege in this House, and I want to bring it to your attention at this point.

If you will notice in the business of the day for today, the standing committee on administration of justice, of which I am a member, is to meet this afternoon to consider the Premier's conflict-of-interest guidelines.

That committee met yesterday as well, and at that meeting a motion was moved by a government member which I believe to be both a violation of my privileges as a member of this House and a violation of the standing orders.

Just as a matter of preface, I would remind you that the business of conflict of interest and the issues that have been raised in this House over the past several months have been central to what we have been debating here. Indeed, another couple of matters were raised on Thursday which had the Premier, in response to a question from my leader, say as follows:

"I have already made it clear what I hope will happen. The matter of the guidelines has been referred to a committee. It has been discussed in a committee. I have made it clear in answers on a number of occasions that I am

looking forward to a report with respect to the general question of guidelines and conflict-of-interest law."

Earlier in the day he had said, "I have asked for the advice of the standing committee on administration of justice."

The Premier himself testified before that committee and since that time we have not yet had an opportunity to review the guidelines clause by clause. We have not yet had an opportunity to review the very letter the Premier sent before the committee as evidence. We have not yet had an opportunity to review the recommendations submitted to the committee by Mr Justice Gregory Evans who is the Conflict of Interest Commissioner, and we have not yet had an opportunity to consider alternatives to the guidelines.

Seemingly the direction that we would like to take is the very direction that the Premier has asked us to take. Nevertheless, yesterday during the deliberations of the committee, a motion was moved that is without precedence in this House and the committees of this House. The motion was in the following terms: That the committee vote today—that would be yesterday—on recommendations for the report, which was the first point; that the draft final report be drafted and sent out by Thursday of this week, which was the second point; and that the report be finalized and dissenting reports be due on Monday 24 June. That is next Monday.

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Mr Speaker, I refer you to section 128 of our standing orders. Section 128(c) reads as follows: "Every member shall be permitted to indicate in a report that he or she dissents from a particular recommendation or comment within the report. The committee shall permit a member to express the reasons for such dissent within its report."

That provision is the basis upon which each of us as a member of a committee has a right to consider a report and in due course submit a dissenting opinion. My privileges as a member of that committee are being constrained and eliminated by virtue of the fact that the government, we believe, intends to move today a motion which would require the Liberal and Conservative members of the committee to submit a dissenting report by next Monday.

I would submit that a requirement and a deadline for dissenting reports is a violation of the provisions of section 128(c), that it is out of order and inappropriate to be moved, and that an attempt by the government to close off discussions on the conflict-of-interest guidelines in order to not permit us to fully examine the guidelines and the situations that have given rise to allegations of conflicts in the committee is in direct contradiction to what the Premier said he wanted from that committee. It is in contradiction to what we as members of this Legislature have a right to do as members of the committee, to the standing orders which govern our responsibilities and duties as members of that committee, and to my privileges as a member.

This Parliament has been plagued with allegations of conflicts of interest since it began several months ago. Now we have a set of guidelines to consider the regulation of those conflicts. The government members, seemingly in the direction of the Premier, seem to want to close off

discussion on the very matters that have been so embarrassing to this government.

I ask you, Mr Speaker, for two things. I ask you for a direction and a ruling that a motion of that sort is out of order because it violates section 128(c) of the standing orders. I ask you as well for a ruling that an attempt by the government members to close down discussion of the conflict-of-interest guidelines, as they are doing by way of the motion they moved yesterday, is a violation of the privileges of the members of that committee.

Interjection.

The Speaker: Just a moment. Would the members leave their seat, please.

Interjection.

The Speaker: If the member for St George-St David could just relax, before entertaining any other submissions which members may have, I tell you quite candidly that it is very helpful if the Speaker is able to hear the matters which are brought to his attention. It was quite difficult to get a rough part of the submission by the member for York Centre to hear what he was saying. If there is additional information which members wish to draw to my attention related to this matter, I would be pleased to hear it.

Mr Harnick: I can tell you, Mr Speaker, that I was in the committee yesterday. My friend the member for York Centre was not.

[Applause]

Mr Harnick: Is the clapping finished now?

Everything he says is factually accurate. Mr Speaker, I can tell you—

Interjections.

The Speaker: Order. The member for Willowdale has additional information.

Interjections.

The Speaker: Order. I realize there is a concerted effort to be pleasant by all members. Right now, the one member I wish to hear from is the member for Willowdale and no other.

Mr Harnick: I can tell members that the standing committee on administration of justice has been mandated to review the conflict-of-interest guidelines. The conflict-of-interest guidelines have been regurgitated back in the exact form they were given in a preliminary report.

There has been no clause-by-clause review of those guidelines. While we disagree philosophically whether they should be part of legislation or remain guidelines, we have never reviewed the guidelines on a clause-by-clause basis and we have never reviewed the letter of the Premier that was tabled with the committee. We have never so much as looked for a moment into the Members' Conflict of Interest Act. We have never looked at the amendments to the conflict of interest act recommended by the Conflict of Interest Commissioner, who attended on two occasions as a witness. All of that work remains to be done.

With that in mind, yesterday we were faced with a motion. The gist of the motion was that at yesterday's session we were to complete a review of the guidelines merely reciting the evidence of witnesses who appeared

and recommending acceptance of the various sections holus-bolus without any further consideration into the real crux of the matter. We were told that had to be done by yesterday and that the opportunity for the opposition parties to prepare a dissenting opinion would be limited. We would have the opportunity of seeing the majority report on 24 June, and we would have two days after that time to prepare a minority report, because we were advised yesterday that the report would be tabled with this Legislature on the 26th or 27th.

There was no advance warning that the motion would be brought. Clearly it is an abuse of the privileges of the opposition parties. I suspect it is not an abuse of the privileges of the government because most of the members sitting on that committee have no idea what is going on with this anyway. They have absolutely no understanding of what it contains. They have a mandate—

Interjection.

The Speaker: Order.

Mr Harnick: Well, I will be fair. To be perfectly fair, their mandate is to finish this off as quickly as possible and not make any recommendations with respect to these guidelines.

I remind members we are not dealing with legislation. We are dealing with guidelines. We have been mandated to review those guidelines and to comment.

Mr Scott: We want to hear Evelyn.

Mr Harnick: The member will hear the member for Ottawa Centre.

The opposition parties want to review these guidelines. We want to prepare minority reports. We are being precluded from the proper opportunity to do that by the time constraints that have now been imposed upon us. Our privileges as members clearly have been abused.

The Speaker: Your avid interest is duly noted.

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Ms Gigantes: Mr Speaker, on the point of order, I became a member of the justice committee, which was seized of the matter of the Premier's conflict-of-interest guidelines some three to four weeks ago. At that stage the committee had proceeded so far in its work, having heard testimony from many witnesses, including the commissioner, the Premier and several members of cabinet, that it had reached the point of having a draft report.

When the Speaker considers this motion, I hope he will look back over the proceedings of the committee—those many, many weeks of its work—and I will also ask him to draw note in his own mind to the fact that the member from York Centre suggested to us that having dealt with the matter of divestment, which was the preoccupation of members of the opposition, we should now simply go ahead, finish dealing with the draft report and members opposite would be pleased to write dissenting reports.

What seems to be in contention is the number of days when, having completed a draft report in terms of committee work, they would have time to prepare a dissenting report. I suggest that under the rules of order within committee, if they find four or five days too little time to

express their dissent from the report, perhaps they would like to amend the motion and we could proceed with the business in the committee.

Mr Bisson: That would be an excellent idea.

The Speaker: No. I have heard the point and I would appreciate members' attention for a moment.

First of all, I appreciate that—

Interjections.

The Speaker: I would appreciate the attention of all members, including the member for St George-St David. We are all happy that you are here.

I appreciate the fact that the member for York Centre raised this point outside of question period. The member may know that committees are to direct their own business. This matter quite properly should be brought to the attention of the committee concerned. The House can deal with matters brought to committees if the committees then bring a report on the procedural matter raised to the House. At that point the Speaker has a better opportunity to deal with the concerns raised. For the Speaker to do otherwise would be interfering in the work of committees, and that is not something you would want.

Hon Mr Cooke: Mr Speaker, a point of order—

The Speaker: I have dealt with this point of order. Is there another one?

Hon Mr Cooke: It is a question.

The Speaker: A question? No. Would the member take his seat. I have dealt with this matter. Is it another matter?

Hon Mr Cooke: We have dealt for 20 minutes with something that was not even supposed to be raised in the House. I would like to know how you as Speaker are going to take control of this place so that we are dealing with matters that are supposed to be dealt with in the House, and things that for committee are dealt with in committee. We just wasted 20 minutes.

The Speaker: To the Minister of Housing, let—

Interjections.

The Speaker: Order. I am painfully aware of the amount of time that is utilized on occasion. At the same time, members get very upset if the Speaker does not listen to their considered point of order.

Now, if we can move on with the business of the House, it is question period time.

Mr Elston: Mr Speaker, is it your will that we bring the government down today after that last challenge, or will we let it struggle for a little bit longer?

The Speaker: I would prefer a question placed.

ORAL QUESTIONS

YOUTH EMPLOYMENT

Mr Elston: I have a question for the Premier. It is related to the Metro youth task force report released yesterday. It paints a very bleak picture of alienation, violence and crime and shows a situation where young people feel there is no stake for them in their community or that the community does not care for them. While we might remark

for a moment that the budget makes no mention at all of youth unemployment, I would like to indicate that the number of youths unemployed in this province has risen by some 31,000 in May over April 1991 to the staggering figure of 165,000. I want the Premier to tell us how many jobs his government has created for young people in Ontario under his budget.

Hon Mr Rae: The member may have a different view but I think the public out there understands that because of the position we have taken as a government in terms of fighting the recession, there is more employment in the economy today than there would have been under any other government and under other circumstances followed by other parties. There is no question about that.

Interjections.

The Speaker: Order.

Hon Mr Rae: I was interested in the comments the other day by Professor Galbraith, born in Elgin county and now the dean of the economics profession in the United States, who said this was the only government in North America that had chosen to fight the recession instead of slashing programs. We have increased programs for employment. We have set up the most major anti-recession package anywhere in North America and anywhere in Canada and we believe we have created more opportunities than there would have been under other governments and under other economic strategies suggested to us by the opposition and the federal government in Ottawa.

The situation is difficult; no one is happy with it at the moment, but as a government we are doing everything we can to fight unemployment and that is precisely the decision we made. Frankly, that is why we have a deficit. That is also why we have chosen not to fight this deficit on the backs of working families across the province.

Mr Elston: The Premier makes an interesting speech but he does not get to the issue at hand. This year we have an increase of some 60% over last year's unemployment figures for youth in this province. We have 16.4% unemployment among young people. When that man stands here and says the government has increased programs, read the following: 650 fewer students are being hired under the Environmental Youth Corps; 800 fewer students are being hired under the summer Experience programs and 100 fewer people are being hired through the Junior Ranger program. When he talks about not cutting back those are the real-life figures; those are the real-life cutbacks this government has foisted upon young people in this province.

I want to let the people know that the Premier is absolutely and utterly wrong when he talks about not cutting programs. He has done it at a time when he has taken away the \$100 from the Ontario scholars and decided to give more money to all the powerful groups in Ontario. I ask this Premier why he shows so little interest and concern for the young people of this province who feel a new alienation, a lack of confidence in the community, a lack in the institutions and in that sense also in the New Democratic Party of this province. How can he not begin to

move to increase the support for youth employment in this province?

Hon Mr Rae: I look forward to hearing the suggestions from the Liberal Party, but every time I hear a suggestion from a Liberal, I get it two ways: I get the Liberal saying "Spend more and create more programs," and the Liberal over there saying: "Why is your deficit so high? Your deficit is too high." The Liberal Party has to make up its mind. Having contributed directly to the most serious recession we have faced since the 1930s, they now turn around and say, "Why aren't you spending more money?" Sometimes it is a little hard to take when we hear it from the Liberal Party.

Interjections.

The Speaker: Order.

Mr Elston: Here we have Peek-a-boo Bob at his best. He should run and hide. He does not want to face up to the problem his government has created. He has cut back on some 1,550 jobs for young people that would have been in place last year. At a time when recession has taken its toll, he has decided to increase tuition fees in universities by some 8%. He has decided to remove \$100 from the Ontario scholars who would attend the university setting. He has done all that and then he took money and put it in the places where the powerful groups have directed him to put it. He has taken it from those people who are the very basis of our future growth and expansion in this province.

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Interjections.

The Speaker: Order.

Mr Elston: The plan of the New Democratic Party is to barrack so that we cannot ask our questions. While I can understand that they are afraid to hear the truth in this place, there are people who are alienated in a manner in which they have never been alienated before, and they must take care of the needs of our province.

The Speaker: And the interrogative part?

Interjections.

Mr Elston: Can I ask my question?

Interjections.

The Speaker: Order. I am fully aware of what day of the week this is. All three groups have had their meetings this morning, everybody is excited, but I have to be able to hear the question and the response. Would the member for Bruce succinctly place his final supplementary.

Mr Elston: While there was no mention of assistance for the unemployed youth in the budget, and while the Premier has indicated he has had some kind of strategic scheme at hand to deal with unemployment problems, the most famous relation I have seen of strategic schemes is a general who described a strategic scheme to determine what a retreat really was.

The Speaker: And your supplementary?

Mr Elston: This man has retreated from his responsibilities. I want the Premier to tell us—not to avoid the question, but to tell us—what he is going to do about

fulfilling the mandate of creating jobs for the young people of this province.

Hon Mr Rae: I think I have already answered that question, but what I would say to the member who just asked it is that I think what people are alienated from is politicians who speak out of both sides of their mouths, and that is what we have heard today from the Liberal Party of Ontario.

The Speaker: New question, the member for Mississauga North.

Interjections.

The Speaker: Order. Stop the clock, please. If it would be helpful for members to have a break for a few minutes in order to restore a commonsense approach to asking and responding to questions, then that certainly would be in order. I do not believe we can continue to conduct our business the way we have for the last little while today.

Interjections.

The Speaker: I think the members of this assembly are going to have to conduct things in a more orderly way. Otherwise, we cannot do the public business the way it deserves to be dealt with. If members will come to order, we will hear the member for Mississauga North with his question.

Mr Offer: As the Premier said, if there is increasing alienation caused by politicians speaking out of both sides of their mouths, then in the last while the Premier has become the king of that.

LABOUR RELATIONS

Mr Offer: My question is to the Minister of Labour. The minister will know that the labour community is asking why he backed down on Bill 70 and what that means for his proposed late changes to the Ontario Labour Relations Act. In fact, it was just six days after I brought, in my speech to this Legislature, the need for change to Bill 70, four changes together with the need for public consultation, that those changes were announced. But according to labour leaders, they were announced without any meaningful consultation. They in fact just dropped out of the sky as far as they were concerned.

The minister said that the original Bill 70 went through cabinet like a buzz-saw, but I think we see today a few toothmarks on his shelf where that buzz-saw seems to have gone right over him. Labour is starting to ask the question, is the minister an advocate for its cause or is he merely a backslider in terms of the proposed changes to the Labour Relations Act?

Hon Mr Mackenzie: I think the member has asked a fair question, but I would like to correct his chronological order of things, if I could. Before he asked those questions about whether we were listening or prepared to change Bill 70, I had already responded at least twice, once almost a week earlier, to the critic from the Conservative Party that we were taking a look at those questions that were being raised.

Mr Offer: I thank the minister for that very informative answer. We have to ask, what happened to the labour leaders when the minister announced the changes as to what is happening to the job creating sector with the proposed changes to the province's labour laws? No consultation took place; there was no advance warning, no opportunity for any input whatsoever. In fact, look at the newspaper headlines today: The Toronto Star reports, "NDP Accused of Frightening Business Off." The Globe and Mail talks about "'Unfriendly' Air Scaring Investors." The Toronto Sun reports, "NDP Not 'Listening' to Business."

Why can the minister not commit today to broadly based public consultations and hearings on those very important matters which have been brought forward through the Ontario Labour Relations Act consultation document? Why can he not commit today to broadly based consultation before legislation is introduced this fall?

Hon Mr Mackenzie: I want to tell the member, to continue with the first part of his question first, what we did in Bill 70 was simply listen to the concerns that were being raised out there in the community and respond to those concerns. I want to tell him also, as I think he already knows, that we have gone through only the first preliminary stage in terms of looking at Ontario Labour Relations Act amendments that are needed, but we will certainly be going through several stages further on that and we will be consulting with all of the parties involved before that legislation hits this House.

Mr Offer: The minister's words today do not follow through with what the actions are. There are business associations across this province that are very concerned with his action. They are saying that there is no real consultation, that they have not been brought into the consultation process, that they are effectively being shut out of very important proposals being brought forward with respect to the Ontario Labour Relations Act.

Every single bill that the minister introduced in opposition related to the Labour Relations Act is embodied in these 30 proposals. No less than 10 NDP policy resolutions, passed at its last convention, called for measures embodied in the 30 proposals. Access to employer property, contracting out, use of replacement workers, employer involvement in union certification—this is the minister's particular personal agenda.

Business is saying that it has not been brought into the consultation process, that the consultation process has not been long enough, or wide enough and that the minister has clearly indicated that there is not going to be any further consultation prior to the introduction of legislation. Will he ensure today that those channels of consultation, of discussion with all people in this province, are wide enough and broad enough before introducing the legislation, or is he going to continue to follow the route he has taken with respect to Bill 70 by bringing in legislation and then rapidly backtracking? Which is it?

Hon Mr Mackenzie: I think the member simply knows that once again his outline of the events is not quite accurate. We have had one round of consultations at which

both management and labour were asked to submit their views of the OLRB. That has been done. They have both had that opportunity. We have absolutely no legislation drafted as yet. That was the first round of it. We will be taking it the next steps, and we have consulted with the parties already. We will be consulting with them in future.

1440

NATIVE HUNTING AND FISHING

Mr Harris: I have another question for the Premier about his government's relationship with the justice system. Last week, a justice of the peace in Owen Sound adjourned charges against seven non-natives for fishing without a licence, citing, and I quote from the justice of the peace, "blatant discrimination on the part of the Minister of Natural Resources." Justice of the Peace Ross Forgrave says that with regard to the treatment of natives and non-natives, when laying fish and game charges, "Obviously there is a double standard."

This decision, if used as a precedent, means that none of the fish and game laws are enforceable against anybody for anything in our province. I would like to ask the Premier how he intends to respond to this serious legal precedent involving fish and game infractions in our province.

Hon Mr Rae: I am going to refer that question to the Minister of Natural Resources.

Mr Scott: Refer it to the Attorney General. He's the one who writes letters.

Hon Mr Wildman: I am sure the House will understand that I cannot comment specifically on the particular issue raised.

Mr Scott: Well, write him a letter.

Hon Mr Wildman: However, this is a very important issue and not one about which one should be facetious.

Mr Scott: I'm having a good time today.

The Speaker: Member for St George-St David, come to order, please.

Hon Mr Wildman: I do intend to deal with this question, because it is a very important one which deals with the justice system, with the management of the fish and game in this province and with racial issues.

This House is aware that there is an interim enforcement policy in effect. I have explained to the House very clearly how that policy works, and the leader of the third party knows what has been reported to the House in that regard. I will not repeat it.

The fact is that the comments made by the justice of the peace involved are being considered and we will respond in due course. I cannot deal with them right now but it is incorrect to say that there is no enforcement. In fact, this House knows full well how these laws and regulations are being enforced.

Mr Harris: No one questions the right of natives to fish or hunt for food for community use. I have not heard that. What Justice of the Peace Ross Forgrave has cited is an apparent announcement by the Owen Sound MNR office that it recognizes the right of the Cape Croker reserve and I am quoting from a front page article in the local newspaper, "to carry on commercial fishing without a licence and

without any quota." It further states, "MNR has allowed the sale of native catch off-reserve, without a commercial licence or quota, in violation of the federal Fisheries Act and in violation of the Ontario Game and Fish Act, in order not to jeopardize negotiations with the natives."

We are not talking about personal consumption. We are talking about the illegal sale of tons of fish for commercial purposes. I would ask the minister, does he not understand the difference between his duty to respect legitimate native rights, as opposed to his duty to uphold laws in support of responsible resource management?

Hon Mr Wildman: There is no contradiction; the two are complementary. The point is that the interim enforcement policy announced in this House deals with the constitutional recognition of aboriginal rights to hunt and fish for food and for personal consumption, as the leader of the third party has indicated, but it also deals with those aboriginal communities that have a tradition of commercial activity that is integral to their way of life. It also points to the need to develop and negotiate agreements with those communities to ensure that there are proper rules so that the conservation of the resource is protected.

As the member knows, we are currently involved in negotiations with Cape Croker and we are very close to an agreement which will indeed control the commercial activity there. In the meantime, we are recognizing that the community is continuing to carry on the type of fishing it has done in the past.

Mr Harris: It is precisely because they are following the minister's policy that we are in trouble, because his policy has no foundation or basis in law. What we have here is political interference in the judicial process by the NDP government. The minister has not changed the law, which is within his power to do; he now is directing officers of the justice system to apply the law unequally. Decisions about who is charged and what is prosecuted are now being made by politicians and bureaucrats instead of the appropriate enforcement officials, who now find themselves in limbo.

The justice of the peace says it is discrimination and he will not take any decisions until he receives some direction. The conservation officer who laid the charges says he will not talk because, in his words, he is afraid of losing his job. The crown attorney, Brian Farmer, says: "I have requested confirmation from the regional crown attorney's office as to whether or not there are specific category persons who are to be dealt with differently. As of yet, I have not had an answer."

Does the minister really believe this is the proper way to be running our courts and enforcing our laws here in Ontario?

Hon Mr Wildman: That was a very long question. I will attempt to deal with each point as it was raised.

First, I categorically reject the view that this government is in any way improperly, directly or indirectly, interfering in the judicial system in this province. It is most unfortunate that these kinds of allegations are thrown around so easily in this House.

Interjections.

The Speaker: Order.

Hon Mr Wildman: In regard to the other issues raised by the member, the question of whether there is interference is quite clear. Since 1986 in this province questions of investigations related to possible commercialization of the harvest of fish by aboriginal people have had a process which has been followed and continues to be followed in this government. That process involves a conservation officer who is carrying out his duty contacting the deputy minister and the senior staff to authorize special investigations with regard to commercialization. When those commercial investigations are authorized and conservation officers, carrying out those investigations and having gathered the evidence, believe charges should be laid, they again refer the evidence and the proposed charges to the deputy minister and the senior staff at the Ministry of Natural Resources for consideration, at which time the deputy minister will authorize the proceeding with charges or not.

The interim enforcement policy I announced in the House indicated clearly that at any time in this process the Attorney General could intervene to determine whether charges can be laid. There is no interference. The policy has not changed. We are continuing to enforce the regulations, keeping in mind treaty and aboriginal rights, which are guaranteed in the Constitution of this country.

Mr Harris: The minister seems to be the only one who believes that. The justice of the peace clearly believes there is discrimination and, on the basis of that, there is no way he can proceed with charges against anybody in this province, native or non-native.

1450

TAX INCREASES

Mr Harris: My second question is to the Treasurer. On 16 May the Treasurer met behind closed doors with Bob White and the auto manufacturers and agreed to re-think his gas guzzler tax. Since the gas guzzler tax is scheduled to come into effect in less than two weeks, will the Treasurer tell us today the fate of that tax? Has he changed his mind? What exactly is going to happen? The automobile manufacturers, the auto retailers, the potential purchasers, the Canadian Auto Workers would like to know.

Hon Mr Laughren: I appreciate the question. I just want to correct the impression the leader of the third party had, because I distinctly recall the door was open and nobody stumbled in to listen to our conversation, but it was not because the door was closed.

Since that time, a number of meetings have been held with the Treasury people, the representatives of the Canadian Auto Workers union, the Big Three automobile producers, the dealers and the environmental movement, because the member would know and support, I am sure, the fact that there was an environmental component to the gas guzzler tax.

Since that time, there have been a number of meetings which I think have been very positive, and at the appropriate time I hope to be able to make some kind of announcement.

But I hasten to add that at this point we have nothing to announce on a change in the tax.

Mr Harris: The Treasurer will understand the uncertainty that exists right now. Is there going to be \$1,200 on this vehicle two weeks from now or not? And delivery dates; surely the Treasurer indicated, I thought with good intent, that he was prepared to meet and consider whether this tax should go ahead. Aside from the fact that he would not do that when I raised it or when the automobile industry raised it, but when Bob White joined my campaign against this budget—and I expect to see Bob White out on the front lawn at Queen's Park on the 27th as part of that fight—then at least the Treasurer did meet.

The Motor Vehicle Manufacturers' Association and the Canadian Auto Workers both agree, they are united, that if the Treasurer's tax proceeds as he proposed there will be sales losses and job losses. Ken Harrigan, chairman of Ford, has confirmed jobs will be lost in St Thomas and Windsor. We know jobs will be lost in St Catharines as well.

Will the Treasurer not tell us, since this tax is coming in two weeks from now, if the Canadian Auto Workers, who may well be out in force on the front lawn in two weeks as they join the battle against this budget, can expect some good news from the Treasurer, and can they expect it shortly so we get rid of this confusion out there in the automobile industry?

Hon Mr Laughren: I want to make a couple of points. One is that I was not going to call in Bob White and talk to him until the leader of the third party insisted I do so. Second, I can tell the leader of the third party that my good friend George Peapples and Ken Harrigan and others from the manufacturers' industry have already expressed some degree of satisfaction with the consultative process. I just wanted to reassure the leader of the third party that in my opinion, despite some of the things you might read in the paper, I believe there has never been a government in this province that has consulted as much with the business community as this government has.

Mr Harris: It is me and my pal Bob White who are concerned here. We are concerned about Canadian Auto Workers' jobs in this province. The signal the Treasurer is sending out is that we are going to get some good news next week. I am sorry he could not announce that to us today.

Next 1 January there are scheduled 1.7-cent-a-litre gas tax increases to go into effect, gas and fuel taxes. Now that the Treasurer has agreed to reconsider the gas guzzler tax, I would like to ask him if he would agree, and if we can expect him to come to some consensus with all the border communities concerned about the hike in gas tax—they say it is the main reason it drives people across the border in the first place—with the truckers, the unionized workers in the trucking industry, the tourism industry, all of those concerned about the cost of living and the transport of goods around this province, and reconsider the 1.7-cent gas tax hike next 1 January?

Hon Mr Laughren: No. The issue of cross-border shopping is much more complex than the leader of the

third party would lead us to believe. We did look at the whole question. Before the budget, when I was looking at the question of gas prices in northern Ontario, for example, I did think about the question of gas prices in the border communities. When I looked very carefully at the pricing of gas across Ontario, it became very difficult to come to grips with the whole problem of differential gas prices across the province, because in some cases the price is higher in southern or eastern Ontario than it is in northern Ontario.

On the question of gasoline as a cross-border shopping issue, I think the member would agree that is not the main reason people cross the border to shop. Also, the 1.7-cent increase would not in itself drive people across the border to shop. I personally think there is a bigger reason for cross-border shopping. There are several big reasons for cross-border shopping; one is the value of the Canadian dollar. Second, I do not believe setting up express lanes, which Otto Jelinek seems to want to do, is in any way the answer either.

Mr Bradley: I want to pursue the matter with the Treasurer of this tax on auto workers in Ontario. The Treasurer has given some hints that he might be considering moving from his original ill-conceived position, the one which was going to be so difficult for those who work in the automotive industry in Ontario, the one which brought labour and management together, and I give him credit for bringing labour and management together on this particular occasion.

Does the Treasurer now understand after consulting, as he says, with so many groups in our society, particularly those in the automotive industry, that with his ill-conceived tax—whoever hatched it in the government—the effect on the automotive industry was far greater than he anticipated, because it deals not only with those who assemble vehicles in Ontario but also with those who make parts in Ontario? Does he now understand that in the midst of the deepest recession since the 1930s, with unprecedented competition from offshore and the United States the tax was ill-conceived, and is he now prepared to withdraw it?

Hon Mr Laughren: I think the former Environment minister should be fairer in his categorization of the tax. Any tax that concentrates on the preservation of non-renewable fuel and on the protection of the environment is not by nature an ill-conceived tax. I would have thought the former Minister of the Environment would also acknowledge the fact that not only were the manufacturers and the auto workers' union called in, but the environmentalists as well. I know that was a regretful case of just overlooking an important group out there in society by the member for St Catharines.

Just because we set up a working group that takes a look at a tax to see if there is a way of fine-tuning it, I do not think that means the original proposal was ill-conceived at all. It is an unfair categorization by the member.

1500

Mr Bradley: This is one case where I would be praising the member for Nickel Belt, the Treasurer, for retreating, and

would not be accusing him of retreating in this case, because I think it would be a good move to withdraw it.

Does the Treasurer not agree with me now, having listened to the environmental groups who had to kick the door in to get into his office because they were not initially consulted, that the best way to achieve good health in the automotive industry at the same time as the environmental goals that are set—that is, of providing vehicles that have better fuel efficiency and better emissions—is in fact to provide incentives for people to purchase new vehicles in the province of Ontario, which will have the better fuel standards and better emissions?

Hon Mr Laughren: I have been a partisan politician around here for some time, but I do regret the way in which the member puts his question, that as soon as we consult, as soon as we talk to the major players or stakeholders on an issue, suddenly it is a retreat or it was ill-conceived in the first instance. Now would the member make up his mind? Does he want this government to consult or does he not?

I keep hearing from members opposite that we should be doing more consultation. As soon as we sit down and consult, they tell us we are retreating or we are considering an ill-conceived tax. I think there is no question that we are determined to have concern for the environment and conservation as one of the hallmarks of this government, and we will never retreat from that principle.

BIOMEDICAL WASTE DISPOSAL

Mr Cousens: I have a question for the Minister of the Environment. Earlier this year during estimates I had a chance to raise the whole question about biomedical waste and the concern we have with some 16,000 tons of biomedical waste, which is human body parts, blood, needles, syringes, swabs and bandages. When I asked the minister about these concerns her answer was, "I am satisfied that the enforcement and operation of the regulations administered by my ministry are designed to protect the public and to protect the environment and that, if followed, will do that."

The presence of needles in Metropolitan Toronto's beaches from drug addicts and diabetics raises a much larger issue of pathological waste. Can the minister assure this House that the guidelines she talked about back in February in estimates are now being followed to the fullest extent possible?

Hon Mrs Grier: Obviously, they are not being followed by people who dispose of syringes and needles in parks and in public places. That is certainly a very serious issue and I share the concern of the member that it is inappropriate. I quite frankly am not sure that no matter what our guidelines said or how they were administered we could in fact overcome that particular issue. There has to be a strategy of the whole question of drug abuse, and I know my colleague is dealing with that.

On the question of biomedical waste generally, as I indicated in estimates, there are guidelines and there are policies within my ministry that are being reviewed since I was sworn in in October. We are working co-operatively with the Ministry of Health and I think there is a great deal

that needs to be done before we have in place an overall and comprehensive system of dealing with biomedical waste in this province.

Mr Cousens: I appreciate the direction the minister is trying to take in her answer, because the whole question of biomedical waste does raise a number of serious questions and is a matter of concern to the public at large. Syringes and medical waste are a threat to life and are obviously not being handled in an environmentally sound fashion, but the monitoring systems for biohazardous waste are very much in question.

I have three questions. Can the minister assure the House that untreated blood is not going into the sewer systems? Can she assure the House that all biomedical waste from doctors' offices and labs and hospitals is being incinerated at facilities that meet Ontario's toughest environmental safety standards? Will she assure this House that all of Ontario's biohazardous wastes will be safely eliminated in Ontario and never exported outside of it?

Hon Mrs Grier: I think I see the direction in which the member's question is taking him, and that of course is the issue of the export of biomedical waste from the province of Ontario.

When I took office I found that 60% of the biomedical waste in this province was in fact being sent to jurisdictions beyond the province. I have been working co-operatively with the Ministry of Health to see how best we can establish across this province an infrastructure to deal with this problem, something that has been lacking in the past, that I think is long overdue for resolution, and that I am very happy to tell the member is going to be resolved in co-operation with other ministries.

JOB SECURITY

Mr Waters: My question is for the Minister of Community and Social Services. The minister will be aware of the concern that many employees of some of the larger institutions serving developmentally disabled people are facing about the security of their jobs. They are afraid that with the movement of persons with developmental handicaps to smaller community-based placements they will not receive adequate notice as to the continuation of their employment. Can the minister tell me and all concerned members what she is doing about this concern?

Hon Ms Akande: Since we have taken office we have set up a committee and a process whereby we would be developing procedures with the workers, with members of the union and with staff to help move the patients from the larger facilities into the smaller centres. The purpose of the process is so that the workers, the unions and the staff would all be aware of the time lines and would be better able to prepare for the eventuality where they may in fact want to change their place of employment.

Mr Waters: I thank the minister for her answer and appreciate her commitment to the long-term needs of these workers. Can the minister tell me what she is doing in the short term to address the immediate concerns of these workers?

Hon Ms Akande: We have used a consultant from out of province to meet with some of the workers and with many of the people from the unions as well as the staff and to initiate the consultation process. They have not only been involved in designing the process but they are also establishing the time lines by which it may be completed. So they are assured that in fact the decision will not be made arbitrarily.

GLOBAL WARMING

Mr McGuinty: My question is for the Minister of Energy. I want to remind the minister of two specific commitments made by her party relating to the problems of global warming and ozone depletion.

The first commitment is contained in the party paper entitled *Greening the Party, Greening the Province*. That policy was adopted in June 1990. "Ontario should adopt a 20% carbon emission reduction target (from 1988 levels) for the year 2005, with the ultimate aim of achieving a 50% reduction."

The second commitment is contained in a letter dated 14 August 1990. It was from the then Leader of the Opposition, the member for York South, to Gord Perks of Greenpeace and four other environmental groups. "The NDP supports an immediate ban on CFCs and flexible furniture foam and rigid foam insulation, with a complete ban by 1995 of all ozone destroying CFCs, methylchloroform, halon and carbon tetrachloride."

Does the minister still expect to meet these promised targets and time frames?

Hon Ms Carter: We have not at this point set a definite target for reduction of global warming gases, but Ontario is determined to take a leadership role in reducing emissions of these gases. It is far more effective to take action without expressing a target than it is to have a target and not take action.

On 14 June, that was last Friday, the Minister of Energy met with 150 representatives of labour, industry, environmental and consumer groups on a proposed energy strategy. These stakeholders supported the government's effort to move ahead on energy efficiency. Some of the measures—tough measures—we are taking to combat global warming are strong controls on the emission of CFCs, policy direction to Ontario Hydro to spend more on energy efficiency, a \$5-billion commitment to improve public transit, our government's commitment to the 3Rs, reducing energy use in government buildings—

The Speaker: Could the minister conclude her remarks please.

1510

Hon Ms Carter: —a 75% increase in Ministry of Energy program funding and sustainable forestry. All these efforts show the government's ongoing commitment to move ahead with measures that will benefit Ontario's economy and environment.

Mr McGuinty: I say with respect to the minister that the initiatives she has just outlined hardly represent a thoughtful, methodical and comprehensive approach to the problems of global warming and ozone depletion. The

only way we are going to get a handle on those kinds of problems is through that kind of approach and that has yet to be taken by this government.

I want to make reference now to an article that appeared in today's *Globe and Mail*. That article states three things in particular. First, it says the Ministry of Energy and the Ministry of the Environment commissioned a special report entitled *Degrees of Change: Steps Towards an Ontario Global Warming Strategy*; second, it says that report contains recommendations for reducing greenhouse gases; third, it says the cabinet has shelved the recommendations contained in that report. I would ask the minister, which of these three statements, if any, are not true?

Hon Ms Carter: I do not think it would be appropriate for me to discuss the details of cabinet decisions in the House. However, I would like to repeat what I said in answer to the last question, that the efforts we are making in this province towards energy efficiency are efforts that will have the consequence of reducing global warming. The reality of these efforts puts us in the lead in North America in the attempt to reduce greenhouse gases.

HOCKEY FRANCHISE

Mr Sterling: I would like to ask the Minister of Agriculture and Food about the Ottawa Senators. Hockey teams have supporters from all political persuasions—they have right wingers who support them and they have left wingers who support them and they have farmers who support them. The local farmers in the areas support the building of the Palladium in the city of Kanata.

I want to ask the Minister of Agriculture and Food about the town of Seaton in North Pickering. There are 7,000 acres of prime agricultural land zoned for residential development, industrial development, commercial development, ready to go, for the roads to be put in, the sewers to be put in, etc. Therefore, there would not be an OMB hearing with regard to the official plan amendment and therefore the minister would not have the opportunity to interject his thoughts at that stage.

Save and except for this one special place in Ontario, there is the matter that the minister owns all 7,000 acres. Is he willing to kill the town of Seaton to show his upholding of the need for preservation of agricultural land here in Ontario?

Hon Mr Buchanan: My job as minister from the time I took over on 1 October is to look forward, not backward, on what has happened in terms of rezoning decisions or economic decisions that were made for planning in the past. This government believes very strongly in the planning process. The minister announced the other day that there is going to be a review of the planning process. We are concerned about the preservation of agriculture land in Ontario. This is one particular OMB hearing that we are participating in in order to preserve and uphold the guidelines. I do not think it is proper to be talking about decisions that were made in the past for Seaton or other economic projects for housing.

Mr Sterling: I have to tell members that the people of eastern Ontario and Ottawa-Carleton find this minister and this government so hypocritical it is unbelievable.

Interjections.

The Speaker: Order. If the member for Carleton would withdraw the unparliamentary language which he used with respect to a member of the House.

Mr Sterling: If it will make the Speaker more comfortable, I thought the Premier used the same language earlier and therefore I thought it was satisfactory. I will withdraw.

But I will say that the people in eastern Ontario cannot understand the double standard that seems to be leveled at them when dealing with the Ottawa Senators—7,000 acres of prime agricultural land in Seaton, 800 acres around the town of Markham, prime agricultural land dealt with differently by this government than 98 acres of questionable agricultural land in eastern Ontario.

Mr Chiarelli: They changed it. Double standard again.

The Speaker: The member for Ottawa West, come to order. The member for Carleton, place his question.

Mr Sterling: Tonight the Friends of the Ottawa Senators are going to be putting on a demonstration in front of the Ontario Municipal Board. They have asked the minister how much he is spending to oppose the Ottawa Senators in Ottawa-Carleton. He has refused to answer that question in the past. They have submitted to him a request under the Freedom of Information and Protection of Privacy Act. Recently they found out that the minister stalled them for another 30 days for no apparent reason. They have appealed that to the Information and Privacy Commissioner. The minister knows that they are entitled to the information.

The Speaker: Will the member conclude his question, please?

Mr Sterling: Why does the minister not permit them the courtesy of providing them—the taxpayers of Ontario—with information as to how he is spending their money? They are entitled to that information. Will the minister put his job on the line so that if they are successful with the freedom of information commissioner, he will resign?

Hon Mr Buchanan: There was a curious mix of items in the question. The preservation of farm land, whether it is in eastern Ontario or southwestern Ontario, anywhere in this province, is a principled argument. To tie that to the amount of money that might be spent in terms of consultant or legal fees is irrelevant.

Interjections.

The Speaker: Order. Would the minister take his seat. It is quite evident there is no interest in hearing the response. New question.

COMMUNITY RADIO

Mr Wood: My question is for the honourable Minister of Culture and Communications. My riding of Cochrane North is the second-largest riding in the province. It covers many thousand square kilometres. Obtaining news and information and keeping in touch with one another is almost impossible without community radio. I am encouraged by

this government's commitment to community-based radio. The minister's announcement a couple of weeks ago of \$1.7 million indicates the ministry is serious about community radio.

How will the money be disbursed throughout the north, and will any of that money be coming to Cochrane North?

Hon Mr Marchese: All community radio stations that are licensed by the CRTC will be eligible to apply for those funds, and that includes the francophone and native aboriginal communities. The funds will be available to each station at the end of next April. They will receive a maximum of \$25,000. We believe many will benefit in the north. In the riding of Cochrane North there may be as many as seven stations that can benefit and can apply.

My ministry staff is working at developing funding criteria for all native and francophone community radio stations in northern and southern Ontario. All native and francophone communities owning a community radio station will be consulted on the development of those criteria.

1520

RETAIL STORE HOURS

Mr H. O'Neil: My question is to the Minister of Tourism and Recreation and it concerns the Sunday shopping tourist criteria and whether these criteria are fair and responsive.

It is clear to us that the criteria are subjective and very open to abuse, and I think the minister will agree that not everyone shares the same opinion on whether a retail establishment is culturally appealing or a building's architectural features are distinct. However, yesterday when I asked the Solicitor General whether or not the Eaton Centre, Toronto's premier tourist attraction, will be eligible for a tourist exemption under the guidelines, he either refused to or could not answer this question. It would seem that no one understands how the NDP's tourist criteria are going to work.

What is the minister going to do to make sure that people understand the tourist criteria, that they enforce them in a fair and uniform manner and that no one applies them in a manner inconsistent with his stated objectives?

Hon Mr North: I appreciate the question from the member across the floor. We have had some consultations within our own ministry and worked with the consultants to give them a good idea and a good explanation of how this will work. The consultants will go into the field and will work with municipalities on request to explain the criteria very clearly to them and give them all the pertinent information they require.

Mr H. O'Neil: Again, I do not think the minister has answered the question for ourselves or for the municipalities.

On 4 June, when asked what the government would do if the municipalities interpreted the tourist criteria in a manner inconsistent with the government's stated objectives, the Solicitor General said it was a municipal issue and people could take the municipality to court if they felt the municipality did not interpret the criteria in a consistent manner. He also refused to accept any provincial authority for enforcing the criteria.

If the minister is unwilling to intervene to ensure that his guidelines are interpreted in a manner consistent with the provincial policy, how does he expect to develop the fair and responsive system he promised?

Hon Mr North: We have laboured at some length to develop criteria which we felt were adequate and were fair to workers and municipalities and to consumers as well. We feel we have criteria which are relevant to the tourism industry, which the tourism industry feels are relevant to itself, and are very good. We feel they will do the job that we asked them to do as we put them in place, and we are looking forward to having a common pause day in the province of Ontario.

NATIVE HUNTING AND FISHING

Mr J. Wilson: My question is to the Minister of Natural Resources. On 28 May the minister said in this Legislature, "We have an agreement with the Algonquins of Golden Lake on principles for hunting deer and moose within the context of this policy." It was announced last night at a public meeting in Barry's Bay that the Golden Lake band has withdrawn from negotiations regarding the subagreements for hunting and fishing rights in Algonquin Park.

Given that we are heading into peak season for tourists in Algonquin Park, has he been successful in limiting hunting by the Golden Lake people in all circumstances in Algonquin Park to the late fall and mid-January period of the year, and if so, in what area of the park?

Hon Mr Wildman: This a very timely question. I must say I am a little surprised, though, if the statement is accurate about what was said at the meeting last night, because surely the member is aware that we opened negotiations formally at Golden Lake on Saturday. To suggest the Algonquins have withdrawn from negotiations ignores that fact.

Our negotiators met with the chief and council and the negotiators for the Golden Lake band, along with representatives of the federal government, at Golden Lake on Saturday. At that time they identified a number of the issues and areas of concern and started to develop a timetable and framework for the negotiations.

One of the most important and pressing issues that will be dealt with in those negotiations is the finalization of the interim measures agreements with regard to the deer, moose and fishing regulations which will be in place as the negotiations on the land claim proceed.

Mr J. Wilson: On 28 March in this House the minister was quoted as saying that hunting during this period, late fall to mid-January, will be excluded from areas frequented by tourists. On 28 May he also said that the subagreements will protect public safety. From this, I can only conclude that hunting by the Algonquins of Golden Lake will be banned in all areas of the park which are open to travel and use by the public, be it by public road and/or maintained trail or canoe routes.

Will the minister confirm that this will indeed be the case and provide some assurance to tourists that Algonquin is still a safe and enjoyable place to visit?

Hon Mr Wildman: Algonquin Park is, as we all know, the jewel of the park system and is one that all tourists should be happy to visit and enjoy this summer. The negotiations with regard to the interim subagreements on moose and deer hunting and fishing are ongoing and we hope to have them finalized soon. There is no hunting, as the member knows, going on in Algonquin Park at this time. The first nation in the negotiations is developing community rules which will be negotiated and finalized and which will limit the numbers of deer that will be taken, the areas where they will be taken, the number of moose that will be taken, the time of the year when they will be taken and the areas. Those will be outside the regular and most frequented tourist areas.

The fishing agreement is more difficult and complex and is ongoing but we anticipate that in good faith we will be able to negotiate agreements which will be acceptable to both sides and will preserve conservation and park values and ensure that all tourists and all Ontarians can enjoy Algonquin Park.

PETITIONS

AMALGAMATION OF TOWNSHIPS

Mr Drainville: It gives me great pleasure today to present a petition from residents of Verulam township in the riding of Victoria-Haliburton. In fact, they are with us today: Janet Sheridan, Malcolm Junkin and Bob Junkin, in the gallery over here beside the government side. There are 1,543 signatures, which represent about 60% or more of the eligible voters in Verulam township.

"To the Legislative Assembly of Ontario:

"Whereas the council of the county of Victoria has voted to accept a recommendation from the steering committee on county government to amalgamate the village of Bobcaygeon with the township of Verulam; and

"Whereas the residents of Verulam were not given the opportunity for public review and comment on the recommendations being made before they were voted upon by county council,

"We, the undersigned residents of Verulam township, petition the Legislative Assembly as follows:

"The recommendation for amalgamation between the village of Bobcaygeon and the township of Verulam not be accepted until such time as the residents of both jurisdictions have had the opportunity to provide formal comment on and acceptance of the proposal in a municipal referendum."

I have signed this.

OATH OF ALLEGIANCE

Mr J. Wilson: I am pleased to rise and present a petition to the Legislature of Ontario on behalf of constituents in my riding of Simcoe West. The petition reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds; and

"Whereas the people of Canada are currently facing a constitutional crisis which could potentially result in the breakup of the federation and are in need of unifying symbols,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Ontario's police officers."

That is signed by some 20 constituents in the riding of Simcoe West and I too am pleased to affix my name to this petition.

1530

Mr Cooper: I would like to present a petition on behalf of the Royal Canadian Legion, East Toronto Branch 11. It is signed by 153 members or friends. It states:

"We, the undersigned, affiliated with the Royal Canadian Legion, East Toronto Branch 11, either through membership or friendship, wish to add our voices to the protest regarding the removal of the oath of allegiance to the Queen for the Metro Toronto Police department or civilian commissioners. This action only further erodes the heritage of Canada in a time when unity is an issue, not only for those born and raised in this country but for those who chose Canada as their homeland."

Mr J. Wilson: I am pleased to rise and present a petition to the Legislature of Ontario on behalf of constituents in my riding of Simcoe West. The petition reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds; and

"Whereas the people of Canada are currently facing a constitutional crisis which could potentially result in the breakup of the federation, and are in need of unifying symbols;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Ontario's police officers."

That is signed by a number of members of the Tosorontio township council, and I too have affixed my name to this petition.

INTRODUCTION OF BILL

TOWNSHIP OF CHANDOS ACT, 1991

Mr Drainville moved first reading of Bill Pr77, An Act respecting The Corporation of the Township of Chandos.

Motion agreed to.

The Speaker: Orders of the day, the member for Bruce.

Mr Elston: Before I move the motion, I think it has been agreed among all the parties that the clock be allowed to run for equal portions of time for the debate in each of the parties. I am not sure whether I was supposed to announce that earlier or not.

Interjection.

Mr Elston: Actually, I think the debate is to run until 5:50 and we hope a vote will be taken at about 5:55.

ORDERS OF THE DAY

WANT OF CONFIDENCE MOTION: STANDARDS OF MINISTERIAL CONDUCT

Mr Elston moved that, since the New Democratic Party government has demonstrated a total disregard for the standards of conduct traditionally adhered to by cabinet ministers, as exemplified by the failure of the Solicitor

General to comply with the conflict-of-interest guidelines and code of conduct as laid down by the Premier, and since the Solicitor General has failed to comply with the long-standing parliamentary tradition which promotes the independence of the judiciary, thereby jeopardizing the separation of powers traditionally associated with Ontario parliamentary history, therefore, pursuant to the provisions of standing order 42(a), the House no longer has confidence in the government.

Mr Elston: For those of us in the Liberal Party, I think no time has been more difficult than this one because of the fact that we were under such a tremendous rush of attacks by the New Democratic Party when we were the governing party in this province. In those days, while we were trying to conduct the affairs of the government of Ontario, we were subject to vicious attacks and assaults led by the member for York South, the leader of the New Democratic Party, the member who now assumes the role of Premier and who, because of his own guidelines, has assumed the mantle of chief judge and executioner with respect to the standards of conduct of his cabinet ministers, his parliamentary assistants and indeed of his caucus.

While we note he has assumed that mantle early through speeches made to the public after his election on 6 September, the assumption of power on 1 October and through the issuance of several pieces of written material since that time, we note he has been unable and unwilling to carry out the execution of his office and the activity of providing the judgement required to enforce the Members' Conflict of Interest Act, the code of conduct and the guidelines he himself has established for the operation of politicians in his party, in his parliamentary assistants corps and in his cabinet.

This is a particularly difficult time for all of us in Ontario. At a time when there must be a sense of stability, a sense of reliance on the good, old-fashioned values of honesty and integrity, the prime minister of this province has not provided a distinct direction towards integrity by enforcing his guidelines. He makes great speeches. He makes great assaults on the opposition parties when they ask for resignations of ministers who have indicated they have transgressed the guidelines and the code of conduct required of them as members of the executive council. He does not make a stand on behalf of the people who require integrity and honesty in government.

The most notorious of the group is the minister who has been named in my want of confidence motion, the Solicitor General. His situation is well known to the people of Ontario because it has been analysed and analysed, not only in the daily press and in the electronic media, but day by day here in the House as we ask the questions necessary to unfold the sordid details behind the writing of letters to justices of the peace with respect to parking tickets.

While the Solicitor General would try to pooh-pooh this as merely a matter dealing with a \$35 parking ticket, it is the most serious of problems associated with his office. It is an interference with the justice system the likes of which we have never seen in this province to this date, and he begs that he did not write, see or authorize the letter. He washes his hands in public while this travesty occurs. Not

only does he breach the conflict-of-interest guidelines and spurn the advice from the people in the Office of the Premier, but he also breaks the great and deep tradition of parliamentary and judiciary separation upon which our principles of government and social order have been built in this province. That alone is enough to disqualify this person from sitting in the executive council. He took an oath to be true to those traditions and support the law of this nation and this province and he has forgotten all. His declaration of ignorance is not enough to save him.

The Premier, in accepting ignorance as an excuse, means to say that it is not enough to save his government as far as we are concerned. The Premier cannot and must not accept ignorance as an excuse in this situation. There are so many places where he can stand up for honesty when we need to bolster the institutions of this province. Cynicism is everywhere. In a province where we stand long by tradition, the institution of parliamentary democracy is under assault. The office of political leader, of politician, is being questioned at all turns by several people in the public. The media write editorials, the people write letters and question us and day by day the leader of the province adds fuel to the fire that feeds the cynicism that attacks the very basis upon which our social and cultural history has been constructed. That cannot continue to happen.

If we are to have no integrity at the head of government, then we cannot have government that can survive long. If we have no integrity at the head of this government, then we cannot convince people to come to Ontario and put into practice their full support of the economic system we have here, of the laws that are passed in this House or of the laws that are passed in the Parliament of Canada.

1540

How can we have a Premier running around saying that he wants to instil pride in the business people of this province and get them to stay in Ontario when the types of things he does, and allows his Solicitor General to do, tend to destroy the very patriotic support he would want to kindle in the hearts of the people who now live in Ontario? People are ashamed of the way this sordid event has unfolded: the contrived sort of intervention by way of the Attorney General inviting the RCMP to come and investigate, then indicating that the investigation report, when it yielded no criminal charges—just as this opposition party said there would be none—now being kept secret will be hidden for ever from the public, and a full disclosure of all the sordid details has been prevented in a way that allows all of us in this democracy to pass our own judgements.

While they refused to issue a copy of the report to the public, and even to us in the Legislative Assembly, they also refused to take this matter before a parliamentary standing committee to analyse what has taken place. We cannot interview the Solicitor General in that committee. We can only accept his stonewalling-type answers here in this House. We cannot interview the three people in this constituency office who obviously were not on the same wavelength when they answered the investigation questions by the RCMP. We cannot ask questions of the people in the Premier's office about their involvement. We cannot

ask the Attorney General about the involvement of his people in his department and in fact about his own involvement in this whole sordid issue.

All of those closures of avenues of information, the shutting down of the openness of communication and the tramping upon the integrity of the system here in this House that this government has put on our shoulders, leave the opposition with only one tool, and that is to move this motion of want of confidence in the government's ability to manage the affairs of this province.

This is of the most serious nature, but it is not the only means by which we sought to have an open discussion of this event. Each time we asked it was prevented. Each time we inquired whether the Premier would allow us to do certain things he said no. Each time we asked it was not granted. So we have but the use of standing order 42(a) to move a motion of want of confidence in an administration that has quickly grown arrogant, that has quite early grown corrupt and that in my view is not able to command the respect either of the members of this House or of the people of Ontario.

Mr Speaker, it looks as if I cannot use the word "corrupt." I apologize. I withdraw that word. They are not able to command the support of the people of the province because they do not display integrity and honesty. They do not display the types of qualities the people expect in a governing party, and they will not command the respect of the opposition party until they move to clean up the events that surrounded the affairs as begun by the Solicitor General. That is quite clear, and that is why there is a want of confidence in this House for this government.

Mr Carr: I am pleased to participate in this debate and to add a few comments. I am going to start off by reading what the Premier said when he brought in the conflict-of-interest guidelines back in December, I guess. He was going to be different from all the other governments and have a situation where he was going to be so pure that there would be no scandals. It is kind of ironic that as we sit here only a few short months later, we have had more scandals and resignations in this government than we have had bills passed in this House. That is a sad commentary on this government.

When the guidelines were brought out, the Premier said: "We must at all times act in a manner that will not only bear the closest public scrutiny, but will go further and ensure public confidence and trust in the integrity of government." I think, like everybody else, we were all in a non-partisan manner hoping this would happen, because we all get tarred as politicians when something happens that affects us, because everybody puts us in a lump and says all politicians are alike.

The rules and guidelines were laid out and championed by this Premier who was going to be different, who was going to bring back integrity to government. It is ironic that in just a short period even the most objective observer would say there have been more problems with conflict of interest in the time this government has been in power than any other government in the history of this province and in fact, I would submit, probably in the history of this country.

Here is a man who said on 12 December: "We must at all times act in a manner that will not only bear the closest public scrutiny, but will go further and ensure public confidence and trust." Here we are with a motion saying there is no trust in this government, that the House no longer has confidence in the government. For days on end we have heard the wrangling that has gone on.

I had the pleasure of participating with the standing committee on administration of justice and going through some of these conflict guidelines. When the Premier came in way back in February and laid it out, I was one of those who believed that he was going to try to be different, that he really meant what he said. But a funny thing happened on the way. He said what he said in February when there were no problems, no hint of scandals; then when it happened to him, all of a sudden things changed very quickly. We had a man in February who said he was trying to uphold the public confidence and trust, and as we sit here today people are saying this Premier is no different than any other Premier. He has not lived up to the high standards he tried to set when he was in opposition.

I have had a little bit of pleasure speaking to some of the people about what it was like. I did not sit in this Legislature when the Premier was in opposition, but I have heard the stories of what he was like over some of the other people, how careers were destroyed over people like Joan Smith and the member for Oriole and some of the others. They were absolutely destroyed by a man who now is saying: "It doesn't matter as long as you didn't do it for any personal gain. As long as you didn't do it for any personal gain it's okay." It is ironic that this was the same individual who at the time he came before this committee said he was going to try to be different.

I read some of the headlines that unfortunately back up what I say. It is not just the two opposition parties saying this. In fact, a good part of the province is saying the same things. I read a headline in one of our daily papers that said: "Passing the Buck." The article said: "Provincially the only people who do not seem to realize that Solicitor General Mike Farnan has no credibility left in the great parking ticket affair are the Premier and his trained socialist seals." That is what the people of this province are saying about a man who I think everybody in the beginning thought was going to try to uphold the high standards of this fine office as Premier.

The next headline reads, "Bumbling Bob." The article says: "We would remind Rae—since obviously somebody has to, that he is no longer the opposition leader, shooting his mouth off in all directions, but the Premier. Act like it, not like some frustrated graduate student with a different answer for every new political quiz."

In fact, that is what has happened over the last little while. Initially, when some of the problems broke, he got rid of one minister for posing in the Toronto Sun. As we went along he realized the high standards he set could not possibly be upheld but, instead of coming out to the people of this province and saying, "I made a mistake, I want to admit there was a mistake; the standards that I thought I could uphold in opposition, I realize I can't as Premier," he did not do that. He did not admit his mistakes. He has tried

to hide things. All we wanted during this period was for the justice committee to have some time to review the situation.

Even as recently as yesterday I believed the Premier when he said: "The justice committee: I want to get input of what needs to be done. We've got to make this non-political so we can all improve the integrity." Then he turns around the very day he says that and his members of the committee rush through and try to invoke closure in the committee.

1550

So it is indeed a bit frustrating for a new member who came in to this Legislature and was interested in taking people for what was said and trying to contribute, and here we are in only a few short months where a government that came in with such high expectations has slipped lower than any other government in the history of this province and indeed the history of this country.

I look at some of the things that were said during that time when we met on the standing committee on administration of justice. It was interesting when we questioned the Premier—I guess there were some of the problems with the member for Victoria-Haliburton and his problems with the ministry—he said at that time—and I guess we should not have been too surprised he would later come to this conclusion—it was okay to break the law because he did it with conscience and there was no personal gain.

As I said to the Premier then, I guess it is okay to go out and rob a bank in Ontario as long as you give the money to the poor, because that is indeed what he is saying. In fact, he has repeated that back during these last few days, saying, "It does not matter; you can do some things we might have thought wrong in the past because they were not done for personal gain."

Some of the people he tried to go after so strongly when he was in opposition, like the former Solicitor General who went to help a constituent at the police station when she believed there was some wrongdoing, did not do it for any personal gain. There was no personal gain there. But of course he, in his ideals of opposition leader, called for a resignation. Here is the same one who turns around and talks about compassion. He had very little compassion in the past when it came to people like Joan Smith and the member for Oriole and some of the other ones.

Here we have a Premier who says one thing before the election, another thing after the election; one thing when he is trying to get political points in bringing in some tough legislation and another thing when some of the scandals begin to hit.

For some of those who have not had a chance to read the conflict-of-interest guidelines that were submitted—and I suspect as we go along that is probably the bulk of the cabinet—when you look at it, it is very clear on page 4, "Ministers (except the Attorney General in the exercise of official duties) shall not communicate with members of the judiciary concerning any matter pending before the court."

It is very clear, very simple. Anyone can understand that. Yet what we have had recently is a Premier who says, "It is okay during this period of time because the Solicitor General did not know the letters were written."

At a time when people are a little bit cynical and sceptical about politicians, we said, "Let's not take your word for it, let's not take the Solicitor General's word for it, let's not take the opposition; let's have some of the people who were involved come before the justice committee." He would not do that. He did not want to have it come out in the open. Instead, he tried to hide behind the RCMP report on criminal activities and wrongdoings when everybody realized that was not what was at issue. What was at issue is a Premier who, when he believes it is in the political interest to do so, will stand up and champion guidelines and then not live up to them. Then we wonder why the public is a little bit cynical and sceptical about politicians, because indeed we are all tarred by this action.

During that time we had some very good submissions that came before us. I guess some of the best material was from Judge Evans, who of course is the Conflict of Interest Commissioner. Some of the points the judge, who is well respected, made—and I will read it out. For those members who did not participate in that committee there is a summary of the standing committee on administration of justice done by the fine research officer, dated 6 May. It talks about some of the things that are important, laid out in very precise detail.

What Judge Evans said at that time was: "Neither the ministers nor their parliamentary assistants should make representation on behalf of constituents before government agencies, including the Workers' Compensation Board and the Liquor Control Board of Ontario. There must be a level of non-interference by ministers and parliamentary assistants. Instead, the constituency office workers should be making those representations, but without waving a flag about the minister's or the parliamentary assistant's position."

The quote I think is important is "without waving a flag." In the case of the Solicitor General, the name was being signed by another individual saying "Mike Farnan, MPP." That certainly waved a flag and is what Judge Evans was talking about. He went on to say that ministers and parliamentary assistants and their constituency offices should not engage in activities on behalf of constituents which might involve an agency that falls within the minister's or the parliamentary assistant's portfolio.

My good friend the member for Durham East, during some of those presentations, talked about an incident in his riding where some constituents wanted to get him involved, and he said: "I can't do it. I've got to step aside. I'm a parliamentary assistant to the Solicitor General. I can't become involved." The constituents got a little bit upset with him at the time, because they felt he should have become involved. But here is a new member, elected a few short months, who knew he should not be involved. Very clearly he stepped back from it and did not become involved.

We are led to believe that the Solicitor General of the day let his office know about the fact that they were not to become involved in any proceedings, but these rules were not made very clear. The RCMP report said staff member number 2 in the constituency office did not have any written guidelines or directions in relation to correspondence.

What troubles me more than anything else is, had this government admitted to it and said, "Yes, we realize we did not give clear direction to the people in that constituency office," I think most people would be fair. But they did not, they tried to hide behind it saying, "Yes, we did tell them." Very clearly this RCMP report says something different.

The way to get it out in the open and to clear it and, I submit, make it so that the matter will not only bear the closest public scrutiny but go farther and ensure public confidence and trust, like the Premier wanted, would have been to send this whole matter before the standing committee on administration of justice. He chose not to do it, because then we would have been able to have the situation aired and everybody would have been able to hear exactly what went on.

We had days upon days where information by the Attorney General—days when he knew about it, his deputy knew about it, his deputy knew about the situation, and this House was not made aware of it, and then we wonder why the public is a little bit cynical and sceptical with politicians.

This motion that was brought forward today speaks volumes to the lack of confidence in this government. I have actually heard some things I never thought would be heard so quickly in a government's mandate. I had some people who are calling me in my constituency office the other day saying: "Is there anything we can do? Is there any way the Lieutenant Governor can get the Premier to resign? Is there any way an election could be called?" They are so upset and angry with what has happened in this province over the last little while. That is a sad commentary on a government after just a few short months. I think people on all sides are hoping we are going to be able to change things a little bit and bring back some integrity.

Here is a man who came out, championed the cause and in fact slipped further than any other Premier in the history of this province with regard to integrity. That is what the public looks at more than anything else. If he did not come out and champion it during the throne speech, and if he did not make the headlines with his guidelines when he introduced them—but here was a man who was going to be different and in fact he is no different. Nothing has changed. We have no change in the government and over the last little while, I submit, things have actually gotten worse.

As we look here at this motion, I suspect it was not brought lightly by the member, it was brought because of the fact that this New Democratic government has demonstrated a total disregard for the standards and conduct traditionally adhered to by cabinet ministers. Not only did they go farther to try to get rid of some of the public perception out there they have slipped backwards, and instead of improving we are now faced with a situation where indeed we have more public cynicism out there towards this government and the political process.

We heard about how he was going to bring in tough guidelines for divestment under his conflict-of-interest guidelines, and yet the people he brought in, the Treasurer at the time, the Chairman of Management Board and the

minister responsible for native affairs, the ones who came in when he was championing these tough guidelines and, "We're going to divest," every one of them came in and said, "But we don't have anything to divest." In fact, the Treasurer and the minister responsible for native affairs were both rather comical in what they put forward that day making fun of the situation. Here we had a Premier saying, "We're going to be different, we're going to be tougher, we're going to divest," and then he sends in ministers who have nothing to divest.

1600

Then we wonder why the public is a little bit cynical and a little bit sceptical. Even if they brought in tough guidelines and sent somebody in to talk about it and say, "I agree with it. You should be able to divest and I've got to give up this little convenience store that I run," or whatever it would be, there would be some credibility.

What we have got is a political process now where you attempt to get headlines, you attempt to talk about things that you think are popular, but I tell members, actions speak much louder, particularly with politicians in this day and age, and particularly when we had a situation where we had a Premier who during the last campaign made a great deal of fanfare about the fact that he was going to be different. He talked I guess at the beginning of the last campaign and personally went after the Premier of the day at that time. Some of the members may remember during the election campaign he started off, not in this House, because he would have had to withdraw it, but he called the then Premier a liar for the reason that he called the election, and then proceeded to go around the province and go after him on all the problems the previous government had. Then, as we sit here today, he has had more scandals in a short period of time than any other Premier in the history of this province. That is why people are saying there is cynicism and they are a little bit sceptical about politicians and the political process.

The confidence that is lacking out there by this public in this government has to do with a lot of things. It has to do with the broken promises. It has to do with the scandals. It has to do with saying one thing before an election and doing something after the election. It has to do with maintaining standards they said were going to be higher than anybody else's and in fact slipping farther and farther behind than any other government. That is why there is a lack of confidence in the integrity of this government in the province of Ontario today.

I think all members, as we reflect on this, are going to have to work extremely hard to get back the confidence out there in the public, the lack of confidence, because our job during this period of time is extremely critical. Never in the history of our nation have so many been so cynical and sceptical about the political process and about politicians at all levels: municipal, provincial and federal politicians. In fact, what we have seen over the last little while has added to that.

I am one of the individuals who would hope that over the next period of time the conflict-of-interest guidelines will become something the people of this province can be proud of. But what we need to do is not have a situation

like we had yesterday during that justice committee, where we say one thing in the morning and in the afternoon in question period and then we do something completely different a few hours later.

It is with deep regret that I think everybody believes that this motion had to be brought forward at this particular time, but hopefully, as a result of this, the members opposite will see that opposition from our friends in the Liberal Party and from this party is such that we really feel at this particular time the confidence in the government has been lost. As we go forward, I would hope that all members of the House would be able to contribute and to try to bring back some of the confidence that has been lost over the last little while.

Mr Sutherland: In some ways it is a pleasure to be speaking on this motion; in other ways it is not.

I just want to say that I think the Solicitor General has done a very good job of explaining his position. He has been very open and very consistent. I also want to say that I think the Premier has been very frank and candid with the people of Ontario in the decisions he has made on various issues. I disagree with the sense that there have been scandals. There have been some errors in judgement, and I think there is a big difference between errors in judgement and scandals.

I want to talk this afternoon about what this government has been doing, because the members opposite have talked about how people are cynical of politicians. They are cynical of politicians who do not want to deal with the real issues of the time.

In the letters and phone calls I get in to my office, people are not talking about the Solicitor General. They are not talking about other cabinet ministers. They are talking about the economy. They are talking about the fact that they have lost their jobs or they feel they are going to lose their jobs due to free trade or due to other reasons.

I believe the people of this province do have trust and faith in this government, because this government—not the federal government, not any other provincial government—is willing to deal with the real issue right now, and that is the recession in this province caused by the federal government and caused by other issues. Our government was the one that was willing to say, "Hey, when times are tough, when we are in the worst recession since the 1930s, we are not going to turn our backs on the people of this province, the people who put their faith and trust in us to look after them." When it is their time of greatest need, we are trying to be there for them. We are trying to be there for them in different ways—the \$700-million anti-recession spending to get those people back to work in those areas most affected; the construction industry, which has been very hard hit by the recession—at the same time helping to deal with improving our infrastructure in the province. That is instilling confidence in the people of Ontario.

I also want to talk about some of the other things that I believe this government has been doing to instil confidence in Ontario. I think the fact that we are continuing on our commitment through the wage protection fund, a very needy and worthwhile—

The Acting Speaker (Mr Villeneuve): I believe the honourable member knows what Mr Elston's motion is. You are allowed to deviate to some degree. However, we have to come back to the subject matter at hand.

Mr Sutherland: I would like to suggest that this is a motion of non-confidence with regard to the government. I am trying to explain why the people of this province should be able to retain confidence in this government, and I am doing that.

The Acting Speaker: Within the context of the motion, please.

Mr Sutherland: The context of the motion is a non-confidence motion.

As I was saying, the wage protection fund is something that is long overdue for those people in this province who have been thrown out of work and have not been given the wages duly owed to them.

I think in terms of some of the other legislation we have seen come forward, such as Bill 17, changes to the support and custody legislation to ensure that those single spouses who are looking after the children get the support payments that are rightly theirs and duly owed to them, that is important and we know that many of those people are on some type of social assistance or on some type of other help and assistance. I think it is important that type of legislation is going through.

I think that is what instils confidence in the people of Ontario in this government, the fact that we are willing to deal with the real issues in this province right now, to deal with the hard-hitting economic issues.

There is no doubt we are in a difficult economic time, as I already stated, the worst recession since the 1930s. With free trade, high interest rates and the general restructuring going on in the economy, there are grave challenges ahead, and I think all members of this Legislature, no matter what side, need to focus on that in terms of how Ontario is going to be able to deal with these issues in the future in terms of competition. That is going to take everyone's support in terms of dealing with issues of skills development, in dealing with issues of research and development, because Ontario is competitive, but it needs to become more competitive, and we all agree with that.

I want to say also that in terms of dealing with the issues of cynicism out there and people's confidence, some of the fearmongering that I seem to be repeatedly hearing from certain members of the opposition, how this government is driving jobs away and driving people out of the province, concerns me. I think they are creating a very negative attitude out there, in the sense that I am afraid some people are going to start believing some of the things they are saying rather than the real story.

1610

I think, through what this government has done within the first nine months of its mandate, the people of Ontario should have a great deal of confidence in the government. We have been listening to their concerns. We continue to consult. I think it was interesting, on the issue of consultation, that when I was in the standing committee on finance and economic affairs the representative from the Canadian

Federation of Independent Business was there and I believe used the words "We're being consulted to death" over issues. People are being consulted, and we are listening to them and in many areas we are attempting to respond to those concerns, as the Minister of Labour indicated earlier today on the changes that were brought forward on Bill 70.

I want to just reiterate that the people out there, the electorate, get cynical when politicians do not want to deal with the issues that are affecting them right now. The most serious issue is the state of our economy, the fact that we have unemployment levels that we have not seen for several years, that we seem to be losing a great deal of our manufacturing jobs, our manufacturing base. We have to try to deal with that in terms of the jobs we are losing in the low-skilled areas and get us into some of the higher-skilled areas and the high value added areas. I think that is going to be a very difficult challenge for any government, but we all must work towards that area. I know this government has a commitment to doing that.

Let me just sum up by saying again that cynicism and lack of faith and trust are not caused by a government that is willing to be courageous in these difficult economic times and that is willing to take a risk and that is willing to listen to the people, all of the people of the province, rather than go on for weeks on end about an issue that people do not seem to be that concerned about, based on the information I am getting in to my office. I have full confidence in this government and I am very proud of the many things this government has been doing and of the great candour and frankness the Premier has been using in addressing the issues.

Mr Scott: There was a good deal of jocularly in the House yesterday when the reference was made to a column that Dalton Camp had written in the newspaper in which he compared the NDP government to the Clampetts. The idea that our Premier, Oxford-educated, silk-stockings socialist that he is, belonging to all the best clubs, could be compared to Jed Clampett strikes one as odd.

What was overlooked in that article was another comment made by Mr Camp. Members have to remember that Mr Camp has been fired by two Conservative administrations, the administration of Brian Mulroney and that of Mr Diefenbaker, so he has some credibility, even in the Liberal circles. But what he said, reviewing a series of facts not about the ministers so much as about the Premier of the province, to whom I am speaking, is that, for all his talents, he had no talent for public administration. That is a serious charge, and it is a charge which can be vindicated perhaps in a number of ways.

I just want today to talk about the record the Premier has made for himself on the subject of conflict of interest because I believe what is going to be called the Farnar affair is going to be perceived historically as a kind of watershed for this government. I have been through watersheds and I recognize them better than some when they occur, having tried to swim up against them. This is a watershed that will long be remembered and will have consequences.

The difficulty, of course, is that the Premier has made his reputation in a public way out of conflicts of interest. I think of three examples, which I will give you in turn: the example of Chaviva Hošek, against whom an allegation was made that she had hired a developer in her department; the member for Oriole, against whom an allegation was made—all this by the Premier, by the way—that her husband had improperly obtained a contract; and Joan Smith, to whom I referred yesterday.

In the Chaviva Hošek case and in the case of the member for Oriole, the Premier insisted, to the point of stopping the work of the Legislature, that those ministers resign on the basis of an allegation—not on the basis of a fact but on the basis of an allegation—and that ministerial responsibility and credibility in government required that to be done. The fact that Chaviva Hošek was later cleared of all wrongdoing by the public auditor of the province of Ontario, and the fact that a parliamentary committee, which had an opposition majority in those days between 1985 and 1987, subsequently cleared the member for Oriole, did not bother the Premier one bit.

When Joan Smith, a mother and grandmother, was asleep in her cottage at Grand Bend two summers ago and got a call in the middle of the night—I think it was almost 11 p.m.—from a girl who lived down the street who was alone because her parents were away and who said her brother had been arrested by the police and was being assaulted in the police station down the road, Joan did not say grandly, “I’m a minister of the crown and I don’t interfere in those matters.” She got up in the middle of the night. She got dressed. She went down there. She said, “I don’t want to have anything to do with this except to see the boy, that he is all right.” She was shown the boy and he left.

And what did the Premier say in so many words. He said: “I want her head. I want her resignation right now.” And do you know what he did? He rang the bells in here for 18 days until he got it.

Those are three women.

Now, I want to begin by saying that I have no criticism of the position taken by the House leader in her statement the other day, no criticism of the position taken by the Minister without Portfolio responsible for women’s issues. I think, if you want my opinion, they both behaved with the greatest propriety in what they did here in the House last Thursday: made the requisite decisions, spoke up frankly and firmly in the strongest parliamentary tradition we have. I was proud to be associated with them. I would say something else about the Solicitor General, whose behaviour I think has been frankly cowardly. But those two women behaved with perfect propriety and I am honoured, if they will permit it, to be a member of the same House with them.

My concerns are not about the ministers. My concerns are about the Premier. As I said, he made his public reputation over conflict of interest, and he took those three women, Chaviva, the member for Oriole and Joan, and made them scapegoats, though two were demonstrated to be innocent and the other did nothing more significant than either the House leader or the minister for women’s issues.

Here is what he said, speaking of one minister, on 6 May 1983, “The Treasurer should do the honourable thing; he should resign.... There are countless instances in our tradition where ministers have accepted personal responsibility. Even though it is a rough test,” the Premier said, “it is a test that all of us must inevitably live by.”

Here is what he said on 2 July, 1986. “If the government is not willing to enforce the guidelines, it does not matter what they are, how comprehensive they are or how great they are. They could have been devised by Moses and brought down from the mountaintop, but if we do not have a Premier who is prepared to enforce the guidelines, they will not make any difference.” He said that, not only here but all across the province when he had the chance to attack the conduct of others.

1620

Then he said on 4 December 1986, “Does the Premier not understand the problems he has created by not stating quite simply that it would be better in everybody’s interests if the minister stepped aside from the cabinet until such time as” the matter in question was resolved.

Here is what the Premier said about Joan Smith. “I don’t want any investigations,” the Premier said. Can you not hear him saying it, that little fellow standing up over here. “I don’t want any investigations when I am so close to office; I want her out. The critical question is the judgement of the Premier. If that isn’t improper, I must be living in a different province.”

That is the campaign that this Premier created around himself in opposition and that he brought to government 6 September 1990. I think the case can be made that his failure to maintain his standards may, in fact, be that from the beginning his standards were too high.

I am not satisfied that the mere fact an allegation—an unsubstantiated allegation like Chaviva Hošek and Elinor Caplan—is made against a minister should require the minister to resign, but I think what happened is the Premier had set for himself a standard so high, which I believe he intended to apply, that when he came to the premiership, to the job where he showed, as Dalton Camp says, no talent for public administration and found that his standard could not be applied, he was without a standard. He waffled and moved from decision to decision until today the Chief Justice of Ontario is summoned to the NDP caucus: “Tell us about this thing. Can we not get it all right? We seem to be screwing up in a major way.”

What we are talking about here, in the three cases that have been identified, is not a question simply of the Premier’s guideline. The rule that a minister of the crown shall not interfere directly or indirectly with a judicial tribunal is not simply a guideline. That is a rule that is as old as parliament and as old as responsible government. It is important to understand, because people laugh at the rule. Judy Rebick laughs at the rule. Michele Landsberg laughs at the rule. They do not understand what that rule is for.

It finds a slight extension in the rules of our own House in written form. We have a rule the Attorney General relies on—more often than I would have considered appropriate—that we should not comment on a pending case. Why do we have that rule? We have that rule as a caution to

members of the House that they will not seek by a comment here to influence the conduct of independent judges. Of course, that is the rule we are talking about here. It is a parliamentary rule as old as responsible government and as old as an independent judiciary. The fact that it is incorporated in a guideline is beside the point. It exists without the guideline.

The problem, unhappily, is that the Premier of this province, when all is said and done, does not really understand that rule. The rule is not designed to impose a restriction on a minister. It is designed to protect judges, who have independent responsibilities, from pressure, whether the pressure is well intentioned or badly intentioned, whether the pressure is successful in achieving its objective or unsuccessful. It is a rule designed not for the advantage or benefit of ministers, but for the advantage and benefit of judges.

I say to the members of the House, and I think most of them accept, that we cannot maintain our system, which depends on executive and legislative responsibility on the one hand and an independent judiciary and tribunal system on the other, if we mock and do not honour that rule in its entirety.

What the Premier has done is he has recited the rule in the guidelines. He has, in substance, deprived it of any significant effect in the three particular cases to which I refer. As I say, the ministers have behaved entirely properly, with one exception, but the Premier has not responded to the nature of the issue he has to address.

One could say, "Well, that is interesting enough." But he has gone further. He has tried to obscure the issue. When we ask him, as we have tried to do, about his standards, he immediately starts saying how terrible the events around the medical case in the college were. We understand that and we agree with him, but that is not a response to the problem. The reality is that if he is prepared to permit intervention with the judiciary of the type that has occurred in these three cases, in good causes, in good cases, he will have to permit it in bad cases as well.

I can imagine the excitement and concern that government members would have if a group representing doctors, for example, had tried to put pressure by writing letters to the discipline committee of the college of physicians and surgeons. But surely if that is not permissible—and I believe it is not under our independent judicial rules—we cannot permit people to put pressure who speak for what we regard as a good or appropriate cause. The place those causes are advanced appropriately is in the Legislature and in the executive. They cannot be advanced by politicians bringing them to the attention of the tribunals.

I connect what is happening here with another phenomenon about which I am very concerned. My concern may not be shared by everybody. I do not hesitate to refer to it in the presence of the member for Victoria-Haliburton. There is a developing sense, particularly in a party that has never been in government before, that the law is simply an institution to be applied and enforced where you approve of it. The reality is that that proposition does not stand any legitimate scrutiny.

I understand those advocates of civil disobedience who feel in isolated incidents that civil disobedience may be required. But you know, it was for me a shocking thing when a member running for the Legislature of Ontario and the man who was going to become Premier of the province went out to break the law. I know they did not like the law and I understand their view. They were better placed than almost anybody in the community to effect a change in the law. But they decided they would break it. Because they judged their cause to be right, and maybe it was right, they thought they had done a good thing. The Premier himself, in so many words, has said so in defence of the member for Victoria-Haliburton. That is not a way to order, because if good men and women may break the law, it follows that people who exhibit intentions that members may not approve of may also break the law.

I am very troubled also in one other respect that we have seen in the last few days about the reaction to the statements made by the House leader and the minister for women's issues, of which I totally approve. I am told—I cannot believe it is true—that one of those ministers went to North Bay within a day or two of that occasion and heralded her performance, that she had said what she wanted to say and it had not cost her her job.

I was shocked to read in the paper where Judy Rebick, well connected with the government party and a candidate for the party in the last election, announced publicly to the press that what we needed was not less interference with judges but more interference with judges, that what the minister for women's issues had said was not only right but that it was right to say it. The minister had confessed here it was wrong to say it, but the government's followers out there are getting the wrong message from what it is doing.

1630

Here we have today a column from Michele Landsberg. I like and admire Michele Landsberg and had the honour to appoint her as one of the first members of the provincial judges' appointment committee. But here she says, "Ministers' Actions Show 'Right Stuff.'" What she is saying is, whether a law of Parliament was broken or not in interfering with the judges, that is the right stuff and we need more of it.

I think adopting this course is, over the long run, a very dangerous matter. The difficulty is that the Premier has not accepted responsibility for what has occurred. He not only denies that ministerial responsibility applies in at least one of the cases; he has not seen the matter as one for the responsibility of the government.

I simply say to the House right now, why are we where we are in this deplorable state of affairs? I believe we are where we are because the Premier of the day set a course for himself over the last five years that was extravagant, wrong and unjust. He came to office determined to implement a system of conflict that would reflect his standards. He found very quickly that he could not, and the moment he found it was the Solicitor General's case.

I believe that in his heart of hearts the Premier of the province knew what virtually every editorial writer and parliamentarian in the country knew: that the Solicitor

General, in the circumstances, good man that he may be, had to go, on the doctrine of ministerial responsibility. The Premier said, "He had no personal responsibility." Of course he did not. You would not need a doctrine of ministerial responsibility if you had to show personal responsibility. So I think at that moment the Premier knew he could not work his system in a context where he had lost two ministers.

Some members may remember that in the question period that day we said to the Premier: "This is the turning point. This is the watershed. If you can't make your standards, difficult as they are, stick at this moment, you are on a slide from which you will never recover." The debate will be over tonight, but let me tell members that the slide will continue over the next four years. There will be further incidents. There always are. There is not a single government in the history of mankind that is capable of getting through a five-year term without having ministers who make serious mistakes.

What has happened is that the treatment the Premier has given to these three cases has effectively destroyed his capacity to act in the future. What is the case that will attract a resignation if it is not one of these? Can members imagine a case of interference with the judiciary that is more pronounced than these? Of course they cannot.

Where are we now? Here is where we are. We are debating a motion. The motion is going to be defeated, because the government benches are full of people loyal to the Premier, anxious to give him another chance; some ministers who are delighted at the turn of events that have transpired here, their jobs now having become totally secure; and a lot of would-be ministers who recognize that in light of the precedents that have been set it is going to be harder to get in there, because fewer are resigning, but easier to stay longer because there is no account for being thrown out. So what will happen? The debate will be closed and the resolution will be rejected. That is the first thing that will happen.

The second thing that will happen is that the rule of intervention in judicial tribunals is, for practical purposes, a dead letter. We must face that reality. It is almost inconceivable to imagine that it could now be enforced in an effective way in light of what has happened. I believe it is a serious failure of public and legislative administration of the very type that Dalton Camp referred to. It may not be as serious for those of us who are unemployed as the lack of work; it may not be as serious for those of us who are in welfare as the failures of the welfare system; but in terms of our body politic, its traditions and public respect for it, it is as fatal a public administration flaw as can be imagined. So the rule, at least in so far as judicial proceedings is concerned, is probably a dead letter for this Parliament. It will lie for the next Premier, whoever he may be and from whatever party, to respond by creating a new one.

I just want to make one other observation. No doubt the Premier, if he were here, would say I was vengeful, but I cannot help thinking of Joan Smith and Chaviva Hošek and the member for Oriole when we debate this issue, because none of them did anything wrong and they were

hounded from office by stopping this House from working for days and days in an era when the bells could ring indefinitely. I can tolerate that—that is the parliamentary system; not at its best, perhaps at its worst—but what I find most offensive is when this Premier, a man I admire in many ways, goes around the province doing two things: announcing his new standards and criticizing my leader, David Peterson, for having no standards.

Mr Mammoliti: That is easy to do.

Mr Scott: It was easy to do. The honourable member is right. It was easy to do when it was done, but let me ask my colleagues in the House: Who is it who has standards when one of the premiers puts those who breaks the rules out of his cabinet, and the other puts those who break the rules in places where they cannot be touched? I think the former person has standards and I think what we now know—we did not know it in September and we did not know it two years ago, because we just had a talk from the Premier of Ontario—is that in fact he has not got the determination on these matters to take the tough decisions that David Peterson, unhappily and bitterly from time to time, and under great stress, in fact took, day by day over six years, at the urging of the Leader of the Opposition. I think that is what Dalton Camp means when he says that the Premier of Ontario, for all his many attractive qualities, has no talent whatever for public or executive administration.

I just want to add one other thing, if I may. The unique feature of this Parliament is that come to government for the first time is a party that has never been in government in the province. In many ways it is more of a movement, as it itself is proud to say from time to time, than a party. It seems to me that has created a difficulty for it and for the Premier, because we get so tightly allied with the causes for which we want to advocate—and many of the NDP members come to politics from advocacy positions—that we believe it is possible to do anything, even break the law and the rules, to advance those advocacy positions. That is what Judy Rebick meant when she said what she said the other day. That is wrong. I believe that a mature NDP government will come to a different view about those issues. I believe that the government, for example, of Allan Blakeney in Saskatchewan, which was a mature NDP government in the sense that there had been others before it, benefited from that experience.

But my friends there are going to have to take their party, their movement, through this hegira to maturity. Government is not a receptacle for advocacy. It is not a place to ride hobby-horses. It is not a place to listen to some but not others. It is not a place to have preconceived notions about who should benefit from legislation and who should not. The members there will have to take their party through the various stages so it can become a mature party, comfortable with the act of governance, as I do not believe, in good conscience, it is now.

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One of the first steps they are going to have to take on that road, it seems to me—and others have trod the road before them, so it is well travelled—is to recognize that the parliamentary rules must be applied and the consequences

attached to them must be applied. To say that the rule will not be applied is, as the Premier said in 1986, to say that in substance there is no rule at all.

So I say to the Premier—who perhaps is watching on his TV set or may see it tonight—that in a strange way this is a kind of watershed for his party. I am concerned because I know the man and I believe him to be a good and honourable man, but I think the Solicitor General's case was a point at which a different turn in the road could have been made and, if it had been, the rest of his governmental experience, in terms of conflict of interest, would not necessarily have been easier, but would have been closer to right than the course of conduct to which we are now committed which makes the rule respecting judicial institutions almost a dead letter.

I say to the Premier, who will know what I mean, that yesterday when I asked him about Joan Smith, I did it not because I could not think of a third part for the question, but just to see if for a moment he could say, "Yes, I understand what you mean, Mr Scott, and I've been in government now a while and things are a little different than I thought they were, and maybe I cannot apply the standards I sought to impose on others." But, defensive, he shied away and that moment of potential candour, one of which we had had from the Leader of the Opposition only as recently as the last sitting day before, entirely escaped the Premier of the province. It was, for me, a very sad moment.

But he will know that it was a great French writer who said that the measure of one's quality as a public person is the gap between what you do and what you say, and there is no other standard that amounts to anything. I hope the Premier and the party that supports him with great devotion and determination, which I understand, will bear that in mind. We are at a watershed in the history of this government and of our province.

Mr Stockwell: When this first appeared on the order paper and I read it, I was reminded of the last few days of the campaign—walking around my riding, knocking on doors, and I had somehow gotten hold of *An Agenda for People*. I was flipping through it one night before going out knocking on doors again, because some people had some questions about the policies and initiatives of the Conservative Party and the Liberals and this new document that they had seen or heard about or read, called the *Agenda for People*. At that time, I thought the *Agenda for People* was somewhat misleading, deceitful and, in fact, impossible—

Mr Drainville: Oh, Chris.

Mr Stockwell: That is what I thought at the time. I thought it would be impossible to implement, and I think I have been proven correct, because I do not really believe you can find anything in the *Agenda for People* that has, in fact, been implemented to its truest form.

When the question was put to the Premier or the Treasurer at that time, their response often circulated around recession and deficits and the horrendous fiscal position the Liberals had left for them and, although I do not think even in the greatest of times they could have been implemented, I suppose at that time it could be taken as a sane

and rational approach. The argument was always put up, "You didn't fulfil your promises and you didn't keep your word."

I was reminded also during those days in the House about 5 or 6 July when the then Premier, Mr Peterson, called the election. I was at the cottage and I was watching it on TV. I was astounded that the leader of the New Democratic Party came into the press conference and called the then Premier a liar for not fulfilling his campaign promises, which was, in my opinion, a rather tough statement to make. But again, it was a statement that really stuck with the then Premier and it was tough for him to shake, because this government today had put itself in a position different from any government in the past. It had said: "We are pure, we are righteous, we are sanctimonious. We will do things differently and have an open and accessible government and we won't backtrack, we won't speak out of both sides of our mouth."

Those two things came to mind that day when the now Premier, then Leader of the Opposition, called the then Premier a liar. About three or four days before the election I got myself a copy of the *Agenda for People* and was overwhelmed with the document and how there was not any prayer, in my thoughts, that it could be implemented. But again, the Premier has backed away from those and I think he has done it very technically well, tactfully well.

I do not think there was a big problem in the public pre-budget about the *Agenda for People* and how they could implement it. The danger we have here today, the problem with the conflict-of-interest guidelines, the difficulty the Premier has with this issue is this: It is immune from the recession; it is immune from any extraneous forces; it is immune from any outside influence. The decision and the positioning of the Premier can be documented very clearly, openly and honestly. A few of the past speakers have quoted some of the words, and I sometimes think in the House to hear some more words, that we can stuff down the Premier's throat. That is really what it comes down to because he did say them. He made these statements and you just take them and you ram them down his throat, because they are so contrary to what the Premier is saying today.

The statements begin in 1983 when the budget turned up in a garbage bag outside a printing plant. "Rae was unequivocal in demanding Treasurer Frank Miller's head. If sometimes these doctrines of ministerial responsibilities mete out a justice that seems a little tough in the circumstances, that's the way it has to be." A noble man like the Premier was very clear on how he would have handled that incident.

I say to my friends across the floor, there was no personal gain for Mr Miller, none whatsoever. All that happened in that particular issue was personal loss for the Treasurer. There was no benefit in him leaking the budget just loss. Yet the Premier was very clear on how he would handle that issue.

In 1989 the Premier demanded Solicitor General Joan Smith also be fired for intervening with the Ontario Provincial Police on behalf of a family friend. "We shouldn't have a buddy system or a new Family Compact in Ontario

Mrs Smith made a very serious mistake. She should resign." There again was no benefit there, none whatsoever.

When the Premier became Premier his guidelines changed dramatically. If the Premier is truthful and upfront, he owes Joan Smith and Frank Miller an apology, a very sincere and heartfelt apology. He also owes Mr Peterson an apology because there was no question about the way he attacked those people when they were in the exact same predicament. It was a vicious, vindictive attack. There was no room for negotiation. There was no room for "Let's be fair." Do you like that one? He is always using that, "Let's be fair." When was the Premier fair when he was on this side of the House? When Joan Smith had to go, was he fair then? I think not. I do not think he was even remotely fair.

Now we are faced with a series of ministers who have made some mistakes. The question is, did they benefit from those mistakes? Of course they did not benefit from those mistakes. I doubt very much in the next little while members are going to find too many ministers who are going to have a conflict of interest where they benefited. It is very rare where that happens. Occasionally it does, but it is very rare. The last few have not benefited, before the Premier's government. The question is, who determines whether the minister benefits? Who makes that decision whether you can impede or get involved in the judicial system? Who makes that determination? The Premier makes it, and if you happen to be advocating a position or policy he agrees with, you are off the hook.

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My friends, that is a very difficult, dangerous approach to use to conflict of interest, because this government is going to find itself in a very awkward position one day when one member is going to intervene and some other members are not going to like the issue. Then some members are going to say, "Dump him or her," and the others are going to say, "No, you should keep them." Why is that? Because this government does not have conflict-of-interest guidelines that are not debatable. When I say "debatable" I mean if you or your staff write a letter to the judiciary or you intervene in a quasi-judicial board, you must go. The Premier said you must go before he got to that side of the House.

The two ministers of the other day—and I applaud them for their actions. I really do not know either one very well at all, but they appear to be very hardworking, diligent ministers of this province. But when we end up debating this, the member for—I forget the riding—Oxford stands up and talks about the budget, for goodness' sake. The member for Oxford talks about this government not turning its back on the people of this province. This government has totally, completely missed the issue and suggests why the people on this side of the House are so upset. Why are they so upset about this government's position on this issue? I will tell members why we are upset, or at least why I am upset, because in the past this government had a very clear understanding of how it would handle issues such as this. It made no bones about the fact that people should go when issues arose like this. It was very clear in telling the Premier of the day, "We cannot stand

for that, that minister should be out." The very first opportunity this government has to prove its mettle, to prove that it is different, it changes the guidelines; unbelievable, absolutely unbelievable.

In a way I can see some of the members who were not here before laughing, because I can understand they really do not understand what is taking place today. But the cabinet ministers who are sitting here today must feel absolutely silly. The Attorney General and the Minister of Agriculture must feel like complete imbeciles. They must feel everything they stood for on this side of the House has completely washed away. They must think everything they stood for and spoke about is gone. Do members not see the hypocrisy in it all? Do they not see the double standard? Anybody could see the double standard. Put the black and white before your eyes and read it. Anyone would see the double standard.

Hon Mr Hampton: Why do you not talk about Mashat for a while?

Mr Stockwell: The Attorney General says, "Let's talk about Mashat." If I were in the federal House, I may well be talking about it, but I am not. The question is about the ministers in this House and their attitudes to conflict of interest. If the Attorney General feels comfortable with the decisions the Premier has made, then I feel very sorry for the Attorney General because when he was sitting on this side of the House, everything he said was not worth a pinch of that stuff they find in the woods.

Interjections.

Mr Stockwell: I get somewhat upset with the comments made by the members opposite. They suggest this is different. They suggest their government is different. The problem is their government is not any different at all. I believe they have written conflict-of-interest guidelines that are very harsh and very difficult to follow, they are nearly impossible to follow. But the humour in this is the only minister who did not break the conflict-of-interest guidelines written by this government's head honcho Premier is the only one who got kicked out. The member for Welland-Thorold did not break a single conflict-of-interest guideline and he got dashed, and now everyone else who has broken them is still there. The member for Welland-Thorold must be scratching his head. It is very questionable interpretation their Premier has when he has half a dozen who break the guidelines and stay, and one person who does not go.

Does that not make them stop and think how believable and how credible these guidelines are and how believable and credible their Premier's interpretation of these guidelines is? For their own sakes, for goodness' sake, for those who may end up in cabinet one day and for the couple or three here who are in cabinet, it is within their best interests to ensure that the Premier writes very clear and interpretable conflict-of-interest guidelines, because if he does not, they are going to have a never-ending saga of public fights and public displays about whether a minister broke a conflict-of-interest guideline.

This open and accessible government; this government headed by the man who accused the then Premier of being

a liar; this government that wrote the Agenda for People and promised to implement it; this government whose Premier said today people are sick of politicians who speak out of both sides of their mouths, it had better buy some mirrors. It is going to have to start looking at itself because that is exactly what it is becoming. It is the sad erosion of a socialist government which is by far the worst in the previous three or four administrations when it comes to conflict-of-interest guidelines they are breaking and ministers who should be dashed.

They are the worst. They must have eight ministers in the last nine months. It is a shame their Premier stands up and suggests the people are tired of politicians who speak out of both sides of their mouths. If the Premier is watching, please read Hansard when he dealt with Joan Smith; read Hansard when he talked about Chaviva Hošek; read Hansard when he talked about Ken Keyes; read Hansard when he talked about Frank Miller, because we are not trying to be as fair as he was. That is his complaint. He was never fair, he was vicious and vengeful and I think today is a kind of reverse justice and he deserves everything he gets.

Ms Harrington: Today I believe we all agree we are discussing a very important and timely subject, the standards of conduct in government and also the confidence of the people of Ontario in this government.

When I read the printed motion of the member for Bruce, I note it says "standards of conduct" and that the word "traditional" is juxtaposed to those words. I believe it is clear the people of this province do not want politicians in the traditional sense at all.

We all know the word "politician" has now, and has had for some time, a negative connotation. The public is saying, "Things must change," and very clearly this message was given last September. Traditional politicians are no longer wanted, very clearly.

I remember on the campaign trail last summer, on public debates, saying, "No, I will not be and I am not a traditional politician." What are wanted by the people of this province, I would hope, are real people who are not insulated from the real world by limousines, liquid lunches or luxury.

At the heart of why the public is unhappy is a concept of power. This is a very difficult concept. In the course of human history, much grief and good has been caused by this. First of all, when trying to come to grips with this concept of power, one can become too accustomed to it and that will lead to abuse. I believe one must respect the power one has earned by coming to this place, and that a very key part of respecting that power is to keep in touch with those people, those issues, those reasons and that drive that made one run for this office. We cannot come here and abandon those people who inspired us to come here, those reasons we are here, whether it be environmental groups or single parents.

1700

About a year ago I took a young woman with five children down to the police station so she could try to lay a complaint against the police. I could not believe the state

of this woman's life. She had been so intimidated and humiliated all her life that being able to speak out was almost beyond comprehension.

I will listen to those types of people, not just the rest of the people in my riding who know how to get things done and who with a phone call have access to me or to city hall. I also want to listen to, represent and speak out for those other people.

We are talking about the use and abuse of power here. I am certainly not a lawyer, but I am speaking from my own personal perspective. I believe people can understand that line between use and abuse of power. Use is to help others; abuse is to help oneself.

Things are changing. That cannot be denied. First of all, the old boys' club is in retreat. It is now acceptable in this House to show emotion, cry and believe in what we are doing. Politics is not a game of saving face or one-upmanship. It is now acceptable to change one's mind and to be a human being. There is an openness. It is very difficult to make these transitions. I think we understand that.

Power, I hope, is now trying to be shared or given away, not concentrated in one place such as this. This is called an empowerment of people—examples we talk about all the time are women, natives, disabled people—to participate in the life of this province. I submit to the members that this is a victory for democracy. It is very difficult, it is very slow, but we are trying.

We are also here discussing this government and whether it has the confidence of the people of Ontario. I submit that the people of this province have given confidence to this government. Why? Because it is so patently obvious that this government is different. The most powerful force in the world is inertia, to continue in the way things have always been done. It is very difficult to change, but we are trying.

Second, the reason people have given their confidence to this government is that we have moved forward on our agenda to try to improve things for the people of this province. In many areas there have been significant changes. About six weeks ago or so I remember thinking to myself, what have we done? Have we gotten somewhere? It was a very difficult time with the bells ringing here, and it seemed our afternoons were just disappearing on us and nothing was accomplished. Now, just in the last week or so, looking at the past year I think there have been significant differences not just in legislation, but in feeling and in the reality of life for people in this province, in the place of women in our society, in the place of the rights of tenants and in respect for the environment. All of these changes are very difficult and yet I believe they are substantial.

I submit to the House that a politician's job is not to preserve the status quo, but to have a vision and the courage to somehow struggle with openness and integrity to move towards this vision.

The Acting Speaker: The official opposition has requested to save the remaining time for wrapup. We will now go to the Progressive Conservative Party.

Mr Cousens: I would like to start by questioning the source of the confidence motion. As it is coming from the

Liberal Party in Ontario, one would think that before putting such a motion, the party would have the cleanest record possible. They would not have a moment to say, as they do in this motion, "a total disregard for the standards of conduct traditionally adhered to by cabinet ministers."

The fact of the matter is that when the Liberals started off, it was assumed they were just as clean as could be. It would seem that the people in Ontario have forgotten about the Hall of Shame. The Hall of Shame describes what went on for the longest time with the Peterson government, and because it had a honeymoon for such a long period of time, everybody just said: "Don't worry about it. David Peterson is doing so well we don't have a thing that's going to happen. We're secure. I can go and call an election when I want even if I don't need to because we're invincible."

Now the Liberals come along with the same kind of notion that tells the world they are talking out of both sides of their mouths. For once I agreed with the Premier today when he said to the member for Bruce, "You're just talking out of both sides of your mouth." How can the Liberals come into the House and tell us, "They're acting with great disregard to standards," when you go through it? One of the reasons the Leader of the Opposition stood up the other day in the House in defence of the member for Scarborough West and the member for Sudbury East had to do with the way the then Premier dealt with the Christine Hart situation.

Was that the way he wanted to see it happening? Were the Liberals seeing the kind of leadership from our Premier that we saw from Mr Peterson then? How straight was he? How hard was he? How good was he? I think it showed a sense that was really lacking. Maybe he was looking for a little bit of that kind. But look at Christine Hart and at Gordon Ashworth, executive director of the Office of the Premier, who resigned his position on 22 June after it was learned he had accepted a free refrigerator and a house painting job from a Tridel-related company, reportedly arranged by that hyperactive Liberal bag lady Patti Starr.

Interjection.

Mr Cousens: Okay, but there is another one.

Then we have the whole situation around Patti Starr. The Liberals stonewalled that one for so long, as if it was not even there. I tell members that last 6 September the people of Ontario suddenly woke up and said, "Our summer's being wrecked by this guy that says everything is perfect," and all he had to do was remember Patti Starr was there in the background. I have a memory of Patti Starr every day when I go into the fridge because we have a little magnetic sign on our fridge that says, "This refrigerator was not provided by Patti Starr."

I often think of the Liberals. We can go down through the list: Joan Smith, Raj Anand, Ken Keyes and René Fontaine and the whole story around him. There is something we could talk about in this House. We spent a lot of time talking about it.

Mr Scott: What did you do with your Patti Starr contribution?

Mr Cousens: Control that honourable member for St George-St David. I think it is feeding time for him.

The husband of the then Minister of Health was involved with things and everybody said, "Oh, don't touch that one." Well, we touched it and she had to resign. It was not a voluntary resignation; it was something we in opposition forced on them and it happened; the same thing with Joan Smith and those others.

Mr Scott: She was found innocent.

Mr Cousens: Innocent—the kind of judgement the Liberals are making on everybody else should start at home. When they think of what they are themselves, then maybe they can cast a few more stones. Those in glass houses should not throw stones, let he who is without sin, and so on; but there we go. I just thought I would have a moment to think about the Liberals.

Mr Scott: I guess we'd rather have you here than in the pulpit.

1710

Mr Cousens: I am glad to be here in order to at least challenge the Liberals to remember their past. When they bring forward a motion like this, let the people of Ontario not forget that the Liberal Party, under David Peterson, was not perfect and that it would put on the same kinds of pretences the Premier's group is putting on right now. Something seems to happen when they take power. When they come along and put on the mantle and cloak they think they are something special.

These guys did it wrong. They did it badly. The people of Ontario spoke on 6 September, loud and clear. I have been there when they spoke to the Conservatives in Ontario too and I know what it is like. None the less, there were different circumstances. It did not have to do with the integrity of government and it did with the Liberals. One of the outstanding underlying issues had to do with integrity of government. The way they dealt with issues had to do with calling the election when they did.

Let's just look at these guys across the way here. I would not want to spend all my time on just these people who have created a little history of their own for Ontario. We have a rogue's gallery here at Queen's Park. We have one member who does not turn up too much any more and two ministers who went down to Hamilton and opened up the whole situation about a cabinet decision ahead of time. It was luck of the draw that it happened just before Christmas. If it had happened at any other time in the sitting of this House, there would have been such an ongoing protest and outcry from everyone, not only on this side of the House. Christmas spirit came in and there were enough people who said, "We're going to be rising; we'll get out of here." The Minister of Transportation and the Minister of Colleges and Universities would be history in cabinet right now on the basis of what they did with regard to the releasing of secret information from cabinet and the way they dealt with people in the Hamilton area.

Then we go and look at some of the other ministers. There are situations with the Minister of Citizenship; a situation with the Minister of Community and Social Services; the Minister of Consumer and Commercial Relations

is fired; and the Minister of Health resigns. This outcry regarding the Solicitor General, which is the basis for the motion the Liberals have presented, really has people thinking about his poor answers, the ability of a government to just stand up and say, "Now that we're in power we don't really have to deal with the issues."

And now we have the other situation with regard to the two women ministers who offered their resignations last week, the way the Premier has set aside dealing with why he did not accept their resignations and how members opposite have not been able to differentiate, that the two ministers did something that may have been right but that by doing it as cabinet ministers they were really forgetting about these guidelines that had been defined and delineated by the Premier.

The Premier set himself up by saying, "We will have the most rigid, the very best guidelines you have ever seen." It was assumed he was going to enforce them. He was going to do it so well that there would be no chance of corruption or erosion of values by the New Democratic government in the province. When he said that, people wanted to believe it. Yet what we have seen in the very short period, since this government has taken office, is an erosion of those values and just a setting aside of those very important terms of reference.

Mr Turnbull: They're called Spandex guidelines.

Mr Cousens: Yes, we are talking about those Spandex guidelines. It is situational ethics, as the member for Nipissing, the leader of our party, has described it, where they are able to do what they want, when they want and how they want without really any regard to the accuracy of their dealing with the issues at hand.

In our country and in our province there is increasing disenchantment with the political system. My public and the government's public, the public we serve, has less and less regard for politicians and for the way in which we not only deal with values, but with situations. People are looking for people of high standing to take office and then fulfil the terms of that office in an honourable way.

Since this government has taken office, it has been able to cast aside the promises it made. Why did the motion not deal with the broken promises of this government, because the public of Ontario has no way of getting at the New Democratic government for another three or four years, depending on when it wants to call an election. They are not going to miss being here for every vote that counts. We have no way to force this government to backtrack and go to its promises rather than change the tune every day according to what it wants to do. The people of Ontario made a dreadful mistake on 6 September. They elected a New Democratic government, and though we are stuck with it, we are going to keep fighting and trying to teach a few lessons on how to be honourable and do a good job.

The Acting Speaker: This terminates the time allocation for the Progressive Conservative Party. The honourable member for Cochrane North.

Mr Bisson: South.

The Acting Speaker: Cochrane South. Sorry.

Mr Bisson: I am South. He is North.

It is I guess with a certain amount of reservation that we find ourselves in the position of having to debate this motion, although I do understand it.

I would like to touch on something the member for Markham said and also my colleague the member for Niagara Falls touched on, and that is the whole question of cynicism on the part of the voters out there. I think, justifiably so to a certain extent, the voters of this province and the voters of this country and probably most of the free world are fairly disgusted, for good reason, in regard to how they perceive their politicians.

Interjections.

Mr Bisson: Excuse me one second. I listened to their debate. They should listen to mine. That is the idea here, okay?

Interjections.

Mr Bisson: There we go, Mr Speaker. It proves the point.

The point is that people out there are cynical of their politicians, I think for good reason. We have the convenience of having these procedures televised. Every person in this province is able to tune in and to watch what we as politicians, who are representatives of the people, are able to do, and what they tune into sometimes, quite frankly, is fairly revolting.

Nobody in this House on any side of the House can be claiming that we are perfect when it comes to the way we conduct ourselves in this House. It is very difficult at times. You sit here as government members, as the Liberals understood five years before, and the Tories for some 40 years. You put your best step forward in order to be able to serve the people of the province in the best way you see fit, and see at times people criticizing, sometimes for pure political gain, and nobody has a monopoly, no party has a monopoly when it comes to being clean on that issue.

I think what the people of Ontario are saying to us, and I think what the people in Canada are saying generally, is that we have to change our attitude somewhat as politicians. We have to be respectful of the voter out there and we have to respect that the voter is infinitely more wise than sometimes we give him credit for.

The due process of our democracy is that we go back every four or five years and we go to the people and we ask them for a mandate. The people give us a mandate based on the thing we talk about, not only during an election but the things we believed in as a party for years within this province or within the country, for that matter. Then they expect our politicians to come into this House over the next four years and to try to deliver on some of those promises.

I think most parties and most voters would understand that no government, no matter how well intended, could move on every piece of legislation that it would want to be able to do. I think, in respect for the official opposition, in the five years that they were on this side of the House, they came in with very good intentions of being able to serve the people of this province and along the way tripped up

and made some mistakes, the same way the Conservative Party before them was in the same situation.

For me as a government member to sit here and to say as a government member am totally infallible and will never make a mistake would be totally ludicrous. We have to remember what we said to the people of the province when we came to power. We said, "We are going to admit if we have done wrong and we will come clean," and that's exactly it.

The issue here is that some people, especially within the opposition, because it advances their political argument, if a political party in government decides to change its mind on a particular issue, let it be a particular bill or an amendment to a bill, it is seen as being an admission of not being able to govern.

I say no. The people of the province have said quite loudly for the past number of years that they want to have direct input on their governments and they want the opportunity to say to their government of the day: "We may agree in principle on the bill or we may not, but we'd like to have some changes here. We'd like to adjust this," or "We think it's good," or "We think it's bad." Then they expect the government to make a decision.

720

I think this government has demonstrated, such as on Bill 70, we heard the voice of people within a number of sectors within our society who said they had some fundamental problems with Bill 70. I as a government member and I as a social democrat who really felt it was very necessary to put those points forward in that bill had to stand back and say: "Listen, it is not only my point of view as a social democrat that counts in this picture, it is the point of view of every Ontarian, to be able to come forward, to be able to give presence to the committee and to say 'I agree' or 'I disagree and I expect you to amend.'" That is exactly what this government did. It amended its own legislation in light of the people of this province.

For the opposition members across the way to say that's weakness, I think they are gravely mistaken, because the people of this province have said quite loudly and quite justly that we have to listen to the voter, and in the end we have to be able to adjust our position to suit the needs of the voter.

What the opposition is doing is quite clear. Our party did the same thing when we were in opposition. The parliamentary system, because of the way it is structured, and I think it is a sound structure, has an opposition to criticize legislation of the government. But there is a problem when it goes past that fine line of being able to criticize constructively to trying to criticize for political points. Again, no political party has a monopoly on that one either.

The strategy of the opposition is quite simple and it has become very evident, I think, to most people of this province. The opposition wants to try to say the government is not able to make decisions on particular things because it changes its mind when it goes out and consults the people of this province. Somehow that is supposed to be seen as a weakness. I would say that is a strength.

They would also turn around and say that we are, for some reason when they are talking about conflict-of-interest guidelines, somewhat more crooked than they were.

Let's take a look at the facts of what happened with the ministers of the crown from the time of the election and the time we were sworn into cabinet until this point today. We had two ministers last week that spoke from the heart on an issue that I think most people in this province felt very strongly about. I would put it that most people in this province would have probably gone past the point that our two members did, maybe would not have only written letters but may have gone a lot further than that.

Yes, there is a grey line when we talk about the power one has as a minister or a member of the government to be able to do that, but I think what people recognize is that politicians are asked to advocate on behalf of the people who voted for them and on behalf of their constituents within this province. To say that because the ministers did what they thought was right and to say, "We want their heads," I do not think would serve any public good. I tend to agree with the leader of my party and with the government on that particular issue.

As we take a look at the situation with the Solicitor General, a staff member who was there for six weeks wrote a letter, without the knowledge of the Solicitor General, in regard to a situation that happened where some 70,000 people in this province received parking tickets that were not supposed to be theirs because of a mixup within a particular computer. The computer spit out a whole bunch of parking tickets to people who were never in the city of Toronto, and somebody came into the constituency office and said, "This is wrong."

As members of all sides, we understand what advocating is about. Advocating is about trying to make a wrong a right and saying: "There has been a mistake here and we want you to turn your attention to it. We want you to address the situation and we want you to give this person their fair day. We want you to give them what is rightfully coming to them."

The opposition looked at it in a different light. Why? They looked at the political points they are able to score on this particular issue. What is even more interesting, and the member for St George-St David mentioned it, is that it is a question of, we were so mean to them when they were in government, now it is their turn to be mean to us. That is basically what it comes down to.

It is not the issue, because the issue is nothing. We have a minister who did no wrong. We had two ministers the other day, again who did no wrong, they did basically what was just, what most people understand as being a very just cause. But the problem is that the members across the way are very sore about 6 September because they realize they lost the last election, not so much because of particular legislation but because of the attitude they showed to the people of this province that they were not listening and that they could go ahead and get involved in the Patti Starr situations and be in a situation where the voters, for some reason, did not matter.

Yes, this government is very conscious on that issue and we want to make sure that we listen to the people of

this province. We want to make sure that if we do something, we are not inflexible, and we will not change our mind just because we are the government, we will listen to all sides and in the end we will make a decision and we will make the best decision available to us, based on the presentations before us. We will not be inflexible, and when we have done wrong, we will admit so.

At this point I am being handed a note saying "Your time is up." I leave the time for the rest of my colleagues.

Mr Drainville: I am glad to rise in the House and speak today on this motion of non-confidence in the government.

I must say it is a rather lamentable situation we approach when we hear some of the things that have been said by certain members here today. I want to put aside partisan sympathies for a moment—although one member over there is incapable of doing so—and talk a little bit about where I am coming from in this debate.

I am a new member. I acknowledge that freely. I have not had the kind of experience that the honourable member for St George-St David has had, nor some of the members on our side. There has been a lot of history in this place, I might say, as someone who has been out of this House for a lot of years and looked at the debates around Frank Miller and around Chaviva Hošek and around other people who were on the firing line and, I have to say, even in terms of our own party at that time, saw the at times unjust way in which such ministers and such members were attacked. I say that as someone who was outside the House at that time, but I have to say also that we, as members in the House, have got to rise to a new sense of unity and spirit.

It is legitimate, by all means, in the parliamentary forum to question a minister on how that minister is functioning, and when that minister has committed an error or has somehow gone beyond the bounds of the job he is meant to do as a minister of the crown, it is not only the privilege of the members opposite to bring that case to debate but it is their prerogative and it is their responsibility as opposition members to do so. I do not gainsay any member on the other side of the House from bringing up these issues as they have been brought up over the last number of months.

I want to say also I have no vested interest in saying anything to the opposition members except this: There have been mistakes made by members on this side and by ministers and those mistakes are difficult mistakes because they were made by people who have been attempting to do the best they can. We have entered into government in a situation we had not anticipated, and indeed we find ourselves at a time and a place when there are great needs in the society and in the province. We find ourselves in the situation of having to be under the gun in many different areas. In the midst of that, with problems all around us, trying to respond to the needs and the aspirations of all the people of Ontario, we have made mistakes. I would like to speak a little bit about that.

There is very little forgiveness in this place for mistakes. I say that not against the opposition members, but indeed I say it about all the members of this House. As we

look at some of the acrimony in the debates that have gone on over several issues, not the least of which being the budget, I have noticed at times a certain mean-spiritedness in the House which I think is bad—bad not only for the members of this House but bad for the people of Ontario because as they look here and they look at the debates that are taking place and as they look at the issues that are being discussed, they realize in fact that the mistakes that are being alluded to and sometimes attacked are mistakes that ultimately are trifling. I say ultimately. That does not mean you can absolve them. They are mistakes and they need to be dealt with, but ultimately they are trifling mistakes.

I want to also draw the attention of the House to the fact that the honourable member for Etobicoke West during his speech talked about the reverse vengeance that was taking place. He smiled and was so happy about the fact that he had an opportunity to nail the Premier again.

1730

Mr Stockwell: No, I did not say that.

Mr Drainville: I use his words.

Mr Stockwell: No, those are not my words.

Mr Drainville: "He deserves everything he gets." That is a quote.

Mr Stockwell: That is not saying "nailed."

Mr Drainville: Okay, I take back the other statement gladly. What he said was, "He deserves everything he gets." It is that mean-spiritedness that I am speaking about. The reality is that he has every right as an opposition member to say to the Premier of the province, "I don't like the decisions you've made. You have made poor decisions and I want to make sure the people of Ontario know the kind of poor decisions." He has a right to say that. But what he does not have a right to say, in terms of the spirit of how this place should operate, is that there is a necessity for vengeance against what the Premier has said in the past.

I hear the cacophony of sound, the lugubrious outpourings of the members opposite. They are very good indeed at indicating to the government and indicating to the Premier all the problems, but what of the unity of this House? How are we to work together if, when we are trying to move forward on our agenda, as we try to work with people in the province, we hear the kind of vengeful statements that are being made by the member opposite?

They talk about the truth. A little while ago members opposite spoke about the truth. The honourable members all know that they are wedded to the truth, and like all wedded couples they live apart sometimes. In fact, truth is not something that is represented very well at times by any member of this House, because we are so involved in partisan debate and knocking each other that we do not have the opportunity to listen to what other members are saying.

Interjections.

The Acting Speaker: Order. The member for Victoria-Haliburton has the floor, very legitimately. Please allow him the opportunity of speaking.

Mr Drainville: Again, what the opposition thinks is an attack on them was not. What I said very simply was

that the member for Etobicoke West had invoked vengeance on the Premier for what the Premier had said in the past. I do not find that very edifying, I do not find it decorous behaviour, nor do I find it particularly helpful to the debate we are trying to pursue today.

I would like to say also, not to leave the Liberal Party out of this, that there is no question in my own mind that the comments that were being made by the member for St George-St David, measured though they were, have some of the same spirit that I am concerned about. For instance, he mentions former ministers. He mentions Chaviva Hošek, he mentions Joan Smith, he mentions other ministers who have had difficulty in the past. One thing he said was accurate: that the opposition—that is, our party at that time—was unmerciful in its attack on those ministers. That's true; we were unmerciful. I might even say—and I do not think it would be breaching any confidence or any understanding that we have on this side—that sometimes we were not only unmerciful but we went overboard in making sure that members—

Mr Stockwell: I see. When it's your ministers we shouldn't be vengeful.

Mr Drainville: The point is, the present fetish we have in this House for mean-spiritedness and attacking ministers and dragging on day after day as if the only way we can make the government do its business is by attacking it, does not make any sense.

What I would like to say to the member for Etobicoke West, because he keeps on speaking out and trying to get into a debate—he had his turn, but he wants another turn—is that of course the member for Etobicoke West has the right to question the government, of course he has the right to criticize the government, of course he has the right to do those things, but he does not have to do it constantly in a state of saying that he is vengeful. "It's time for the Premier to get his comeuppance." That is what he was saying, and it is not acceptable in this place.

I want to say also that the standards that are set, macho though they are, patriarchal though they have been, about how ministers are to be treated in this House make no sense in the world today. To say that when ministers make a mistake like those which some of the ministers in our government have made they should resign every time those kinds of mistakes are made, makes no sense.

Mr Turnbull: What about Frank Miller?

Mr Drainville: The honourable member for York Mills yells, "What about Frank Miller?" Frank Miller did not resign.

Mr Stockwell: You wanted his resignation.

Mr Drainville: But he did not resign.

Mr Stockwell: You wanted it.

Mr Drainville: But he did not resign. What I would like to say to the honourable members is that what they are trying to do is have me protect what the former opposition party, the New Democrats, did in years past. I am not willing to do that.

Mr Turnbull: What about Joan Smith? We are talking about a double standard, Dennis. No wonder people are sick of politicians when you have double standards.

The Acting Speaker: Order, please. The member does have the floor very legitimately and you are really interjecting when interjections are not in order. You will have your moment in the sun. The honourable member for Victoria-Haliburton, please proceed.

Mr Drainville: The point I want to make is that we are in a period of deep political change. People are not expecting any more to see cabinet ministers who are thrown out of office merely because any politicians from any party or any side of the House call, "Off with their heads." There is no reason why cabinet ministers have to resign for such reasons.

That does not mean that there are not good reasons to ensure that cabinet ministers do what they have to do. When the opposition says we have to ensure that the government is responsible, that is its job. But when they demand that, every time, in the smallest of insignificant events, a member of the cabinet needs to leave, that is totally unacceptable.

Whether you look at the honourable Minister of Health, who resigned, whether you look at the member for Scarborough West or whether you look at any of the other members, what you see is that those people did not receive any benefits from what they did. They made an error, they acknowledged the error, and to have resigned from the cabinet is a totally unacceptable expectation.

But why do they not accept that? This is the real question we need to deal with, and I will sit down after this last point. Why is it that the opposition demands that these people must resign? I have to say, because there is a tradition and it is a tradition that needs to end, and the sooner it ends, the better for the people of Ontario. This tradition says we have to call for the blood of every minister who transgresses whatever strange attitude or set view the opposition feels. They are the arbiters. We were in the opposition and when we were in the opposition we did the same thing, but it seems that the opposition is the arbiter for every decision that needs to be made about the future of any cabinet minister, and it cannot work that way.

The people are expecting changes in this House and in the government of Ontario, and the changes they are expecting have nothing to do with the piddling, insignificant issues that have been raised continually in this House. What they want to know is, when will the people of Ontario be able to have support from and begin to believe in the members who sit in this House? As we hear the acrimony and lack of unity and catcalls from each side of the House, the people of Ontario are saying: "This is not what we want. We want a Parliament which will represent our views, which will listen to the people of Ontario and which will ensure that it responds to the needs and aspirations of all people." The way that we will do that is by providing it through leadership in each and every constituency, so that every member of this House will begin—rather than being mean-spirited, rather than being totally critical all the time—to work together for the betterment of all people,

and until that begins, we will continually have these kinds of debates.

1740

Interjections.

The Acting Speaker: The interjections—please. We will have a chance to vote. I realize we do not have consensus on this issue. We will have a chance to vote later, and you can express your opinions then.

Mr Huget: I am going to take a slightly different approach to the issues we are discussing today. As a new member, I have to say that the series of events that have unfolded over the last little while have been very disturbing to me as an individual, not being experienced in the partisan politics world and not being experienced in the blood sport of politics in this House. But I was elected and ran for office, I believe, as all members of this House have done: to represent their constituents, to conduct themselves honestly and with integrity. It is based on that that I, as many others in this House, on all sides of this House, took the opportunity to run for office and, indeed, we are elected today to represent our constituents.

It is a rather sad commentary that when a staff member makes an innocent mistake both parties turn almost like a pack of hounds on a staff member in an office. There was no devious method or motive in any staff member or their office. It was a legitimate, honest mistake, which we admitted forthrightly and honestly on every occasion. We have tried to deceive no one. We have tried to be as honest and open as possible, and we will continue to try and be as honest and open as we can.

This government was elected to change the way things are done in Ontario, to deal with some of the issues that have been experienced by the people in this province under the guidance and governorship of the Liberals and the third party. We will continue to make a change in the way government operates in this province, and we will continue to be as honest and open a government as members or anyone in this province has ever seen.

Hon Mrs Coppen: I would just like to take a few moments to express my opinions of our government. I am proud of the achievements of our government. Before I elaborate on the accomplishments, I would like to share some personal experiences.

Before 1 October, many of us had never been in government before. That does not hamper anyone in the province of Ontario from sitting in this House. My own experience was as an advocate, much like many of my caucus. We fought for the rights of the people in our community. We listened to them. They gave us their confidence—not like other governments. They took that chance. They gave us the greatest gift they could: their vote to make us the government of Ontario and their confidence, something that we treasure.

One of my first experiences here at Queen's Park was a brief tour, an opportunity to lobby some of the ministers of the opposition and, yes, to protest on the front lawn of this beautiful building, and what did we protest? We protested harm to working and average people of this province, and I

sincerely believed in that. I am an advocate for people, and that is why I came to this House, to fight those battles.

When the people gave us that right, we came into this building. I ran up those stairs, those first steps of opportunity to be a new government in Ontario, and when I walked into the rotunda I had to stand back in awe. It is a beautiful building. It hit me with almost the same feelings of the non-confidence that we felt from the opposition, non-confidence with the deficit, a deficit—

The Acting Speaker: The government's time has run out. Thank you very much.

Mr Curling: I want to thank you very much for giving me this opportunity, first to tell you that I am in full agreement with this motion of want of confidence for this government, which has demonstrated a total disregard for the standard of conduct for the judicial system.

I consider myself a very strong and vocal advocate for the rights of those who have suffered from discrimination practices or other human rights abuses. The last speaker said she is an advocate. I want to say to members, I have actively fought against discrimination throughout my life. Indeed, I have suffered from discrimination practices and I was never able, nor were most of the people who have suffered like this, to articulate it and tell members precisely how that hurt is. I felt so strong about it that I ran to be placed in this Legislature so that changes could come about. I believe in the system. I said to myself, "I could go out and get a gun and I could shoot all those who are discriminating," and I said, "That's not the way." I thought, we have a system here, a democratic system, a process in which we can change. We got elected on that basis.

Those people on that side are no more advocates than the people on this side. They are no more advocates than the member for Carleton, who fought to get smoking out of public buildings. He did not take up any guns. They are no more advocates than the member for Ottawa East, who fought for francophone affairs. But he decided to come in here and change it to the way it is properly done, not to interfere with the justice system and say, "I more passionately believe than the forces you have."

It is disgraceful. It is awful, when I stand here, and I think my privilege as a member has been insulted because they feel they have advocated themselves as a greater advocate for the causes in which they carry on. There are people outside there—I know that blacks have been shot and they felt the judgement that had been levelled against them was inappropriate—who have phoned me and asked if I could interfere and I tell them no, because there is a process for it.

Rushton is still preaching his awful ideology to our children in this province. Is there an interference? Where are the members opposite then to say he should not be preaching like that in the school, this racial thing they are doing in London? Where is the interference? Where is the Minister of Colleges and Universities? Who will say, "We shall stop him today," because he should not be doing that. There are people who are being streamed every day in

education that is not appropriate to them. Where is the Minister of Education on that?

There are people who feel today that the Ontario Human Rights Commission has not actively promoted and been able to hear their cases because it takes five or six years to do that. Is the minister interfering? Is she less an advocate than those who have interfered?

I will say to the minister that she is conducting herself appropriately, the Minister of Citizenship, the minister responsible for the Ontario Human Rights Commission, and she should not follow those who have violated the justice system by interfering. I do not condone the two ministers who interfere. I think it was terrible. They have done more injustice to that cause than anything else. They have done not only injustice to those sexual abuse causes, but in spite of all of that, the system stands strong and the judge has ruled accordingly, as he should.

I hope they have learned their lesson. I hope they have come to respect the process. I hope they see that a democratic process that has been built on for hundreds of years is not destroyed by this so-called claim that they are the God-anointed advocates of this world. They are not. Every one of us is an advocate here in respect to the law and order of this country. If members opposite feel they are above that, if they feel they can lie in Temagami, get applause after their civil disobedience and decide that is an appropriate way to go, these people should not be the government. They should resign.

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The House divided on Mr Elston's motion, which was negatived on the following vote:

Ayes—42

Arnott, Bradley, Brown, Callahan, Carr, Chiarelli, Cleary, Conway, Cordiano, Cousens, Cunningham, Curling, Daigeler, Elston, Eves, Fawcett, Grandmaître, Harnick, Henderson, Jackson, Jordan, Mahoney, Mancini, McClelland, McGuinty, McLean, Miclash, Murdoch, B., Nixon, O'Neil, H., O'Neill, Y., Phillips, G., Poirier, Poole, Ramsay, Ruprecht, Scott, Sola, Sorbara, Stockwell, Turnbull, Wilson, J.

Nays—68

Abel, Akande, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Drainville, Duignan, Farnan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jaminson, Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock, S., North, O'Connor, Owens, Perruzza, Pouliot, Rae, Rizzo, Silipo, Sutherland, Ward, B., Ward, M., Wark-Martyn, Waters, Wessenger, White, Wilson, F., Wilson, G., Winninger, Wiseman, Wood, Ziemba.

The Acting Speaker: The government House leader has moved adjournment of the House. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour will please say "aye."

All those opposed will please say "nay."

I declare the motion carried.

Motion agreed to.

The House adjourned at 1802.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
Boyd, Hon Marion	London Centre	NDP	Vice-Chair, standing committee on Ontario in Confederation
Bradley, James J.	St Catharines	Lib	Minister of Education
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economic Development
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
Elston, Murray J.	Bruce	Lib	Co-Chair, special committee on the parliamentary precinct
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	House leader
Fawcett, Joan M.	Northumberland	Lib	Solicitor General, Minister of Correctional Services
Ferguson, Will	Kitchener	NDP	minister responsible for the provincial anti-drug strategy
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Frankford, Robert	Scarborough East	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaître, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Ampton, Hon Howard	Rainy River	NDP	Attorney General
ansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
arnick, Charles	Willowdale	PC	
arrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
arris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
aslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
ayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
enderson, D. James	Etobicoke-Humber	Lib	
ope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
uget, Bob	Sarnia	NDP	Chair, standing committee on resources development
			Parliamentary assistant to the Minister of Energy
ackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
mison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
hnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
rdan, Leo	Lanark-Renfrew	PC	
lopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
ormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
winter, Monte	Wilson Heights	Lib	
ankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
ughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
essard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
ackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
acKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
ahoney, Steven W.	Mississauga West	Lib	Chief whip
alkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
ammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
ancini, Remo	Essex South	Lib	Chair, standing committee on general government
archese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
arland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
artel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
artin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
athysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
McLash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Mixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public account
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
ood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
emba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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 Co-Chair: Noel Duignan
 Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
 Clerk: Smirle Forsyth

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Wednesday 19 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mercredi 19 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Le Journal des débats rapporte en anglais ou en français les débats, selon la langue utilisée par les participants. Les remarques faites en l'une ou l'autre langue ne sont pas traduites. La langue des en-têtes et de la table des matières reflète la langue utilisée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 19 June 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

MINISTER OF TRANSPORTATION

Mr Mancini: Last week the Minister of Transportation announced that he had received an award for innovations in bicycling policy. We have to question what the minister could possibly have done to merit such an award. It could not have been for his decision to give an engineering firm \$150,000 to ask the public what it thought about bicycling. Yet there have been no other bicycling-related announcements from the minister.

Looking beyond cycling, the award could not have been given to the minister for his decision to leak the cabinet decision to cancel the Red Hill Creek Expressway. I do not think the people of Hamilton would think an award was in order for that policy.

As well, it could not have been for the minister's decision to break the NDP election promise to extend GO Transit rail service to Peterborough and to Brantford.

It could not have been for his losing his copy of the Solicitor General's letter on parking tickets. Surely those actions do not merit an award.

I am sure that Ontario truckers facing a 31% increase in diesel fuel taxes from this year's budget do not feel the minister deserves an award. Fare hikes, layoffs and service cutbacks by the TTC do not justify any kind of award either.

We cannot find any reason why anyone concerned about transportation policy would give the minister any kind of award. In fact, the only member of cabinet who might be eligible for an award on bicycling policy is the Minister of Consumer and Commercial Relations, who actually bicycles to work. Unfortunately, the Minister of Consumer and Commercial Relations has her driver follow her in her ministerial limousine as she cycles in order to transport her briefing books.

MAXVILLE CELEBRATIONS

Mr Villeneuve: Good news from eastern Ontario. On 28 June the village of Maxville, my home community, will celebrate its centennial with a homecoming weekend. This is the highlight of our centennial year, which has special events throughout 1991.

Maxville, in historic Glengarry county, traces its roots back to Scottish settlers and Loyalist times. The Scots began arriving in the area in the 1790s, but as late as 1851 the census then showed no record of Maxville. With the coming of the railway in the 1880s, the settlement grew.

Today's phone book lists MacDonalds, MacDonells, MacEwans, MacGregors, MacIntoshes, MacKinnons, MacLeans, MacLeods, MacMillans, MacRaes, McNaughtons, etc, which explains why Maxville was originally spelled starting with "Mac."

Today, the village of some 850 people and the surrounding area also has its share of Bourdons, Derouchies, Guindons, Seguins, even Villeneuves and many others.

On Friday 28 June, the celebrations will begin with a wine and cheese party and will continue Saturday with the centennial parade, opening ceremonies and entertainment. On Sunday, after church and an ecumenical lunch at the United Church, entertainment continues at the fairgrounds and ends with a barbecue and fireworks.

Many members will remember that Maxville is also the home of our Glengarry Highland Games, the biggest and best in the country. Everyone is welcome to visit us.

WORKERS MEMORIAL DAY

Ms S. Murdock: Tomorrow marks a tragic anniversary in my riding. On 20 June 1984, a rockburst killed four miners at the Falconbridge mine in Sudbury.

A rockburst occurs when pressure builds up along the fault line of a rock and the rock ultimately bursts to release the pressure. That rockburst incident prompted the Sudbury Mine, Mill and Smelter Workers' Union, Local 598, to organize memorial services to commemorate the workers and their families in the tragic accident and thus Workers' Memorial Day was born.

Over the years, Workers' Memorial Day has grown from a small event in remembrance of the Falconbridge rockburst to a day set aside to pay tribute to all workers who have died in the performance of their duties. Workers' Memorial Day now honours workers from all walks of life, from police officers to lumberjacks. This day also commemorates the untold numbers of workers who have perished due to industrially related diseases, many of which are not being acknowledged as such at this time.

The anniversary of the rockburst at Falconbridge obviously has special significance for me and the people of my riding. But Workers' Memorial Day is an opportunity for all of us to acknowledge the tremendous sacrifices and losses that are realized by working people across this province. At 10:12 am tomorrow, the time of the rockburst at Falconbridge seven years ago, I urge all members to pause and reflect on the lives that were lost, not just at Falconbridge but all over this province.

COMMUNITY NEWSPAPER

Mrs Fawcett: I have in my hand a copy of the Colborne Chronicle. This weekly newspaper keeps the village of Colborne and surrounding area up to date and aware of the latest happenings in the village and throughout the county. One might ask, "How is the Chronicle different from any other newspaper of its kind?"

This terrific paper has just been named winner of first place for the best front page, second place for the best all-round newspaper, second place for the best editorial page and has been awarded the Canadian Community Newspapers Association blue ribbon for excellence in the

association's 1991 class 1 better newspapers national competition.

The editor of this national award-winning paper is Eileen Argyris, who has been with the paper for 12 years. For nine of those years, Mrs Argyris did everything involved in getting the paper to the press—layout, typesetting, photography, editing, page design, reporting, editorials and soliciting advertising.

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No matter what is going on in the community, Eileen is there with her trusty camera and notepad. Whether it be the annual figure skating carnival, Summerfest celebrations, special events at the public schools in the area, library news or council meetings in Colborne or Cramahe, all events get comprehensive reporting and picture promotion every week. The insightful editorials are always articulated clearly and are very thought-provoking.

I am sure all members will join in congratulating the editor, Eileen Argyris, for producing this award-winning weekly newspaper. The community and the paper's owner, Northumberland Publishers, are very proud of the blue-ribbon community newspaper, the Colborne Chronicle, and its editor, Eileen Argyris.

YUN YEE CHOW

Mr Eves: Last Thursday, the University of Toronto faculty of medicine named this year's recipient of the Dr Louis R. Harnick Memorial Award. This award is one of the University of Toronto's largest post-graduate medical awards. The Dr Louis R. Harnick Memorial Award was established by friends, relatives and associates of Dr Harnick in appreciation of his outstanding leadership in the field of radiology.

A fund was established to make an award for a fourth-year medical student with a specific interest and aptitude in diagnostic radiology. Candidates for this award are interviewed and expected to demonstrate the qualities that exemplify the standards, priorities and style of Dr Harnick—leadership, compassion, community service and service to the medical profession with a high regard for the quality of life.

This year's winner is Yun Yee Chow. Yun Yee Chow, while achieving very high marks in medical school, stands out as a very highly motivated individual. Her well-rounded personality combined with her enthusiasm for excellence in the field of radiology make her a truly deserving recipient of the Dr Harnick award.

On behalf of the Progressive Conservative Party of Ontario and the late Dr Harnick's son, Charles, my colleague the member for Willowdale, I would like to congratulate Yun Yee Chow.

TOWN OF INGERSOLL

Mr Sutherland: I had the great pleasure of participating in the town of Ingersoll's Heritage Day parade last Saturday. While Heritage Day is meant to be a celebration of Ingersoll's past and present, this year's event took on a greater significance.

On Tuesday 4 June, Ingersoll lost some of its heritage as a result of a fire on the main block of the town. In all,

five buildings, including some that were built in the 1800s were lost. Residents living above the five businesses escaped with only the clothes on their backs. Fortunately, no one was seriously injured as a result of the blaze. The fire threatened to burn down the entire main block. However, effective teamwork by the Ingersoll fire department in conjunction with fire departments from surrounding communities prevented the blaze from spreading.

The people and businesses of Ingersoll are resilient and supportive of each other in time of need. Within a few days, several of the burnt-out businesses had reopened in new locations. The Salvation Army co-ordinated a clothing drive and found temporary accommodation for those tenants who lost everything. A benefit concert is also planned to raise money to help those residents affected by this fire.

I would like to congratulate the fire departments, the Salvation Army and all those people in Ingersoll who have provided support to the people and businesses of Ingersoll. As a resident of Ingersoll myself, I know that each time I walk up the main block of the town it will feel like a large piece of heritage is missing, but the large turnout of people who came out to participate in Heritage Day events and watch the Heritage Day parade makes me confident that the town of Ingersoll will recover from its devastating fire and continue to demonstrate pride in its strong heritage.

ANTI-RECESSION PROGRAM

Mr Miclash: Throughout the fall and winter months the NDP government kept telling northerners who were losing their jobs and giving up hope to wait, wait for it, wait just a little bit longer, until the anti-recession fund money starts to flow and then everything will be peachy and cream in northern Ontario.

It has been said that the only jobs this NDP budget will create will be those in the United States, but let me bring to the attention of this government an example of one of their job creation projects going to Manitoba.

Notwithstanding the NDP's opinion on the awarding of contracts for the Kenora bypass to Manitoba contractors which arose during the election campaign, this government recently announced \$772,000 to the town of Ignace for the construction of a much-needed public library in that town. However, the jobs this money will create or maintain will be in Manitoba because the contract was tendered to a Manitoba firm.

This of course happened because the NDP has no criteria for the anti-recession funds to ensure that they be spent in Ontario to create short-term jobs in Ontario. It is another example of NDP mismanagement of the anti-recession program, one which can only mean fewer jobs in northern Ontario.

I urge the minister to investigate immediately how many other cases like this have taken place, where job creation contracts have gone to create jobs in other provinces, and to put the necessary controls in place to ensure that this cannot happen again.

FREEDOM OF INFORMATION

Mr Tilson: Later today I will be introducing a bill to provide taxpayers with better access to information about

ow their tax dollars are spent at both the provincial and municipal levels. This bill reflects my conviction that taxpayers have a right to know the details of salaries and wages paid to provincial and municipal employees. It also reflects my frustration as a member of this assembly with not being able to obtain information through either the order paper or the Freedom of Information and Protection of Privacy Act on public sector wages and on severance and termination packages.

I would note that these frustrations are shared by my constituents of Dufferin county who, because of the current law, have been unable to learn the percentage increases in the salary and benefits packages paid to senior county staff over the last three years. I find it offensive that taxpayers cannot have access to details on an expenditure which accounts for between 40% and 50% of the county budget.

I trust that all members committed to making government more open and accountable will support this bill. I hope the government itself will endorse this effort to reduce the level of public cynicism about its institutions by improving our ability to scrutinize its operations.

WELLAND ROSE FESTIVAL

Mr Kormos: Most members of this Legislature know I am from Welland-Thorold, down in the heart of the Niagara Peninsula. One of the great things that happen down here come summertime, and especially the month of June, is the Welland Rose Festival, beginning at the beginning of June, when it should begin, and culminating this coming Sunday, 23 June, with the Welland Rose Festival parade.

That parade attracts people from all over this province as well as friends from south of the border, American friends of ours who visit Welland and enjoy the spectacle, because to call it anything less would be an understatement.

It does not happen without the hard work of a whole lot of people; the honourable members know that. These are people like Jeff Ward, who is the chairman of the rose festival committee this year; people like Jennie DiMarco, the chairperson of the rose parade committee; people like Ivan Bosilevac, the chairperson of Day in the Park.

It is also people like Denise Coring, who is the chairperson for the first time this year of the coronation ball. He has done a whole lot of hard work—a long-time member of the rose festival committee putting in exceptional effort this year. It is people like Sherry Boudreau, the co-op student working in the rose festival office; people like Andy Rudyk, the office supervisor; Claude Breault, the second vice-president of the rose festival committee; Jim Montgomery, the first vice-president; Michelle Mercier, former Rose Queen, Brock student, and now active in assisting the organization. They are the sort of people who make it a great success.

Sunday 23 June, 1 pm, Welland. Be there.

Hon Mr Mackenzie: I would like to ask permission of the House for unanimous consent to make a statement concerning Occupational Health and Safety Week.

The Speaker: Do we have unanimous consent?

Agreed to.

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STATEMENT BY THE MINISTRY

OCCUPATIONAL HEALTH AND SAFETY

Hon Mr Mackenzie: As honourable members will know, this week is Canadian Occupational Health and Safety Week. Maintaining sound health and safety practices in the workplace is something we should all strive for on a daily basis. The aim of Occupational Health and Safety Week is to remind us of that important goal.

This is the sixth year that the Canadian Society of Safety Engineering has sponsored the event with support from the Canada Safety Council, Canadian Standards Association and Canadian Centre for Occupational Health and Safety. Throughout the week there will be organized campaigns across the country to increase awareness of the vital need for effective health and safety programs.

We are privileged to have in the members' gallery today John Irwin, the chairman of the Ontario steering committee for Canadian Occupational Health and Safety Week.

On behalf of the government of Ontario, I would like to commend these organizations for their commitment to the promotion of health and safety in the workplace.

This year's theme is "Excellence: Today's Goal, Tomorrow's Reward." It reflects the Ministry of Labour's goal to provide a solid foundation for the best health and safety conditions possible in the workplaces of Ontario.

At the beginning of this year, the ministry implemented Bill 208, a bill that requires equal participation by labour and management in ensuring better health and safety on the job. There are now 20,000 to 40,000 more businesses across the province that are required to have health and safety committees. The bill also created a bipartite Workplace Health and Safety Agency which will develop training standards for the committees and co-ordinate the activities of the provincial safety associations.

Last week I announced major amendments to the construction projects regulation that will contribute greatly to safer and healthier working conditions at construction sites. Among the changes are amendments designed to reduce the number of fatalities and serious injuries caused by falls from heights, trench cave-ins and electrocutions.

As well, another new regulation was enacted last week to provide firefighters with safer protective clothing. The approved clothing will provide superior protection from injuries caused by heat and flame.

These important improvements to health and safety legislation and regulations were made after close consultation with health and safety groups across the province. My ministry intends to continue to work closely with labour, management and safety organizations to demonstrate this government's commitment to improved health and safety in the province.

RESPONSES

OCCUPATIONAL HEALTH AND SAFETY

Mr Offer: I am pleased to respond on behalf of our party to the week that has been designated as Canadian Occupational Health and Safety Week. This week not only

identifies the need for health and safety in the workforce, but the very purpose behind the health and safety legislation in Ontario as outlined in Bill 208.

I am particularly encouraged by this year's campaign theme, which is "Excellence: Today's Goal, Tomorrow's Reward." As honourable members know, excellence is achieved through teamwork; that is, partnership in managing risks in the workplace. This is the fundamental principle that lies at the heart of Ontario's occupational health and safety system.

I would also like to welcome John Irwin as the chairman of the Ontario steering committee for Canadian Occupational Health and Safety Week.

I believe it is now appropriate to bring to the attention of the Legislature the objectives for this week. These are: to increase awareness of employees towards current occupational health and safety programs; to increase awareness of employers towards the benefits of occupational health and safety programs; to increase awareness of the general public towards occupational health and safety programs; to increase awareness of employees and employers of the purpose and role of the occupational health and safety professional; to inspire the development of new occupational health and safety programs and activities by organizations which will help reduce occupational injuries and illnesses in the future.

I think the minister would agree with me and all members of this House that when even one worker in Ontario dies or is injured in the workplace as a result of a job-related accident or disease, that is one worker too many. It is and remains incumbent upon all of us as legislators to instil a safe working culture in Ontario which will ensure, and continue to ensure, that every week is occupational health and safety week in the province.

Mrs Witmer: I am pleased to have this opportunity to rise on behalf of my colleagues in the Progressive Conservative Party and join the members from the other two parties in recognizing Occupational Health and Safety Week.

The aim of this week is to make all citizens in this province aware of the vital need for sound health and safety programs in our workplaces. We must all focus our efforts on minimizing the risk of death and injury for workers and providing as safe a workplace as possible. In order to do this effectively, our occupational health and safety laws must be kept up to date and relevant to the changing nature of the workplace.

I would like to take this opportunity to congratulate those individuals and organizations who sponsored events this year to promote this very special week. I would like to thank them for their commitment to the promotion of health and safety in the workplace.

This is a good time to focus on safety in the workplace since many of our young people will be looking for employment for the first time as they look for summer jobs. Statistics show that there are more young people hurt on the job than older workers.

I would like to conclude by indicating our party's commitment to working with all others in this province to

make our workplaces even healthier and safer in the years ahead.

FISH AND WILDLIFE MANAGEMENT

Mr Cleary: On a point of privilege, Mr Speaker: brought an extremely important matter to the attention of the Minister of Natural Resources on 3 June and I have only received an empty acknowledgement from a staff person.

Mohawk Indians of Akwesasne are demanding that a area fishermen buy authorized Mohawk licences to fish in waters between Cornwall and Lancaster. Natives have said that anyone caught without a Mohawk licence faces penalties of fines and impoundment of boats and equipment. Meanwhile, the Ministry of Natural Resources has said that fishermen need only an Ontario resident's sports fishing licence to fish in Ontario waters.

Frustrated fishermen in the area are angry and are threatening to carry guns. I am afraid that any confrontation may have tragic results. Since the Premier is going to be in the riding—

The Speaker: The member for Cornwall, it is not a point of privilege. It is certainly a matter possibly for question period. It is a matter that the member may wish to raise with the minister responsible, but I appreciate your drawing it to my attention.

ORAL QUESTIONS

TAX INCREASES

Mr Nixon: I have a question of the Treasurer leading from his comments made rather informally yesterday that he had decided to change in some way his gas guzzle extension announcement in the budget.

Can he not announce to the House, in an area that just as desperately needs adjustment, that he is contemplating a change to the imposition of a 31% increase in the diesel fuel tax as it is imposed on the trucking industry? I need not bring to the minister's attention the economic problems truckers are facing. He is well aware of them.

Hon Mr Laughren: I should clarify something that the leader of the official opposition said. What I said yesterday was that we were working very hard to try to fine tune the gas guzzler tax in a way that satisfied a lot of differing demands of that kind of tax.

On the diesel tax to which the member specifically refers, I have not contemplated making a change in that. I do appreciate the fact that there are problems in the trucking industry in this province. I would remind him, however, that those problems were there long before an increase in the diesel tax.

Mr Nixon: I think the honourable Treasurer is correct when he says the problems have been growing for many years. But he would also be aware that his announcement in the budget of a large increase—two 1.7-cents-per-litre increases, apparently following the visit of the lobbying association connected with the trucking industry—was considered a decision by the minister that was difficult to understand.

He would be aware from the information that comes from the industry of the numbers of people involved. The

estimate 230,000 involved with \$5 billion in economic activity. The fact that every day bring lists of bankruptcies, the most recent being Glengarry Transport with 800 drivers, and the Ontario operations of the Canadian Transport Group the most recent one with 153 drivers, shows that this is a matter leading directly to unemployment. It is a matter over which the minister has direct control and on which he might very well adjust his tax decision.

Can he not see fit in his mind to give them the same treatment that was given the gas guzzler tax sufferers and give further consideration in this regard?

Hon Mr Laughren: I would remind the honourable member that even before the truckers came to see me and to see the Minister of Transportation, the minister, the member for Etobicoke-Rexdale, took a major step towards helping to resolve the problem in the trucking industry by declaring a moratorium on the issuance of new licences. As well, the minister is conducting a study into the competitiveness of the industry and has assured the people in the trucking industry that the study will be complete in August, if my memory serves me correctly. At that point, he will be reporting back to the trucking industry.

1400

Mr Nixon: We recognize the government's penchant for regulation, and we will be looking at this carefully to see how it benefits the industry. But the minister has to be aware of the appearance in this situation, where the Canadian Auto Workers had a very powerful spokesman indeed to lobby for it. He had no trouble to get in to see the Treasurer and probably has regular meetings with the Premier as well. Once Bob White, the vice-president of the NDP, indicated some displeasure with this, the Treasurer was very quick to indicate publicly that he was going to reconsider and, yesterday, that he was going to fine-tune.

I think this would be very acceptable indeed, particularly to the Canadian Auto Workers. For the independent truckers, they do not happen to have a strong union voice. I hope it is not unfair for me to ask the Treasurer if he is prepared, along with the leader of the government, to represent all the people in the province, not just those who can knock on the doors of the temporary high and mighty with the imprimatur of a labour union. Does he not understand that not all the workers in this province are unionized but they must have a positive response from the Treasurer and the Premier?

Hon Mr Laughren: That is a most unfortunate characterization put by the leader of the official opposition. I remind him that when the truckers had a problem, they came in to see me. The door was open, they saw me, and they saw the Minister of Transportation. As well, when we talked about the gas guzzler tax, it was the industry that came in to see me. It was the dealers who came in; it was the representative of the workers, the union, CAW came in, and it was the environmentalists who came in. Why the member persists—

Mr Nixon: Because the Treasurer won't see the truckers.

Hon Mr Laughren: That is not true; I have seen the truckers. Why the member insists on playing the trade

unions in this province as some kind of bad actor is beyond my comprehension.

Interjections.

The Speaker: Order.

Hon Mr Laughren: As a matter of fact, we are most anxious to work with the business community, along with working people in this province, to make sure that we develop the kind of partnership that was never there when the Liberals were in office.

NATIVE ISSUES

Mr Conway: I have a question for my friend the honourable member for Algoma, who is responsible at one and the same time for this government's management of provincial parks, fish and game policy, timber management, crown lands and native affairs.

I would like to ask my friend arising out of his statement to the Legislature last week, about the dispatch of an unheard-of law firm named Sack, Goldblatt and Mitchell to act as this government's negotiator in the question of the land claim of the Algonquin first nations in my part of eastern Ontario.

Can the member for Algoma, as the minister responsible for his several, not entirely compatible responsibilities, indicate what specific direction the New Democratic government has provided to its negotiators, Messrs Goldblatt etc, as they go forward to negotiate a framework to resolve the Algonquin land claim?

Hon Mr Wildman: I appreciate the member's question. This is a very important issue. I want to say parenthetically that I do not believe there is any inherent conflict in the many responsibilities the member enumerated.

The instructions specifically to the law firm are quite straightforward. They are to enter into negotiations to identify the issues related to the land claim, the areas involved, the need for the conclusion and finalizing of interim subagreements with regard to the exercise of the aboriginal rights to hunt and fish. They are to be specifically responsible for wide consultation with other interested groups in the area from various fields such as the naturalist community, the parks community, the tourist industry and so on. As the member will know, that process is on its way.

The initial meeting was held at Golden Lake last Saturday, and this week there have been consultation meetings taking place; one was held in Huntsville last night. The law firm is responsible for finding out what the concerns are of other groups specifically with regard to the negotiations and representing them at the negotiating table.

Mr Conway: Still, the consultation meetings are the best-kept secret in my constituency. The Ottawa Valley press this week is replete with very positive, upbeat stories from all sides about the progress being made, and, given the significance and the sensitivity of this claim, we are undoubtedly encouraged by this.

The question of the 80,000 people I represent in a county whose entire territory is subsumed in this land claim is this: What is on the table? What are Messrs Goldblatt et al, mandated by the executive council of this province, to negotiate?

Would the minister care to comment, for example, on this possibility? Would he comment, in the negative or in the affirmative, that one of the possibilities is a willingness by this government to turn over entirely, on a permanent basis, the management of Algonquin Provincial Park, as we have known it, to the Algonquin first nations?

Hon Mr Wildman: I guess the short answer is no. In adding to that, I do not want to prejudge the negotiations. Obviously we have to identify the issues and determine how we can reach a settlement which is a win-win settlement, an agreement that is acceptable to both sides.

I frankly do not understand why the member is unaware of the meetings. There was one held last night in Huntsville, and one the night before in Barrys Bay.

Mr Conway: As the local member, I do not ever recall being informed, and I met a lot of people who very interested to know about the meetings who were not informed.

Mindful of this government's anxiety, I am sure, to avoid anything like a Meech Lake catastrophe or the Alan Pope fiasco of some years ago, since the minister does not want to talk about what is on the table or what the government is prepared to negotiate by way of substance, would he perhaps answer this question: What kind of constituent assembly does the New Democratic government of Ontario imagine and plan for to involve the scores of stakeholders whose economic and recreational livelihoods are materially and vitally affected by whatever happens in these enormously important talks?

Hon Mr Wildman: I want to emphasize once again that we as a government have emphasized to our negotiators that it is their responsibility to consult as widely as possible with all the stakeholders my friend enumerated. It is incumbent upon them to do that because we must inform them of what we are doing, we must determine what their interests and concerns are so that we can properly negotiate with the Algonquins of Golden Lake first nation and represent their concerns at the negotiating table.

In terms of a constituent assembly, that is sort of a novel approach to negotiating. The Premier has indicated that we would entertain that approach in terms of the negotiations and discussions around the Constitution of Canada. Negotiations of a land claim are somewhat different, I am sure the member would understand, in terms of the kinds of issues involved. We cannot really anticipate having a multitude involved in the negotiations directly, but they must be involved in the consultations around that negotiation, and we are committed to ensuring that they are.

1410

AUTOMOBILE INSURANCE

Mr Harris: My question is for the Minister of Financial Institutions. On the weekend the, Toronto Star reported that auto insurance companies must seek bureaucratic approval to cut their premium rates. Can the minister explain to me why some well-established companies, in business for a long time in this province, have had to wait months and months on the bureaucracy to lower their rates and pass savings on to Ontario consumers?

Hon Mr Charlton: The leader of the third party when he is preparing for questions like this, should perhaps have his research staff check a little more carefully in terms of the approvals process.

First, the member will know that the approvals process was set up a year ago on the passage of Bill 68, a piece of legislation introduced and passed by the former government. Second, there has been only one application to the Ontario Insurance Commission regarding a rate reduction—an application which was turned around in two weeks. The member should know that nobody has been held up for months and months as a result of the regulatory process.

Mr Harris: I realize the Liberals set up this disastrous bureaucracy, but the minister is now in charge of this disastrous bureaucracy. If the minister wants to blame the Liberals, I understand that and I blame them as well for their part in this disaster we are dealing with.

I would like to know if the minister has made any representations to the Treasurer on behalf of Ontario consumers and drivers with regard to all those policyholders of the province who are insured with Dominion of Canada auto insurance, which had a rate application proposal ready to go to the government to lower rates by 3% to 5%. When the budget came out and increased the tax on insurance companies by 3%, in effect the Treasurer of Ontario took that 3% to 5% rate cut right out of the pockets of drivers and consumers.

I would like to know what representations the minister who I presume is the advocate for drivers and consumers in this province who must buy the government's compulsory auto insurance, has made to the Treasurer and to the cabinet on behalf of consumers of auto insurance in this province.

Hon Mr Charlton: The leader of the third party seems to fail to understand what has happened with auto insurance premiums in the province and the profitability which has evolved under the Ontario motorist protection plan brought in by the former government.

The profits for the last half of last year, after offsetting the losses in the first half of the year, equalled \$250 million; profits for the first quarter of this year equalled \$229 million. The fact that Dominion has not proceeded with a rate reduction application is the choice of Dominion. Others, as I have suggested, have proceeded with their rate applications. The profits in the industry indicate clearly that premium reductions should be happening across the board. Unfortunately, the insurance companies are not following that responsible route.

Mr Harris: The question had to deal with insurance companies that wanted to follow that route, but the Treasurer plucked that money out of the drivers' hands before they had a chance to pass it on to the consumers and the drivers of this province.

I wonder if the minister can explain to me why last Christmas Eve State Farm hand-delivered the application to the Ontario Insurance Commission and was not able with the final approval and nod, until three months after that to pass on the savings to consumers, and what he is going to do to ensure that when the auto insurance companies—those that

do not get the taxes and the money taken away by the Treasurer and the Premier—to expedite it so that those savings can be passed on immediately to consumers?

Hon Mr Charlton: First, the member again should do his research just a little bit more carefully. State Farm did not file a rate application for a rate reduction. What State Farm filed was a rate application for a complete reworking of its classification system, including adding one additional class which most of the other companies in this province already had. There was no overall rate reduction provided by State Farm, but it provided a very complex submission, which had to be reviewed. The basic rate applications for increases or decreases are turned around on average in two weeks, as I have already suggested.

Mr Harris: The minister says there has only been one. It took three months, but he has an industry average of two weeks. Give me a break. He has only got one to base his average on, he told me, and it took three months.

Mr Villeneuve: You didn't say there was a reduction, right?

Mr Harris: That is right.

GOVERNMENT SPENDING

Mr Harris: My second question is to the Premier. On 5 June, a Burlington company received these 17 envelopes, 17 of them to one company, each with a 40-cent stamp on it, each, I assume, costing the private sector average of at least a buck, probably more than that, to send a letter out.

These were from the Workers' Compensation Board. All the envelopes were mailed on the same day. All these envelopes contained one sheet of paper. Each paper was a form letter confirming a claim.

This may be profitable for Canada Post, but it is one more example of the type of waste by government and government agencies that is driving taxpayers and businesses across this province absolutely bonkers. This type of mismanagement could only occur in the public sector and in crown corporations.

I would like to ask the Premier, why does his government not have some form of commonsense controls in place to prevent this type of bureaucratic waste of money?

Hon Mr Rae: I think the member points to an interesting suggestion with respect to an improvement in efficiency. I am sure people at the Workers' Compensation Board will be interested in hearing his suggestion. I think he points to a problem. I would not diminish it or belittle it in any way. I think it is a good consumer and business-friendly suggestion and I will certainly bring it to the attention of WCB.

Mr Harris: I brought it to the Premier's attention in that spirit, because what we have is something costing \$17 instead of \$1, or a 17-times cost on this type of thing. Anybody who receives mail from the Ministry of Housing or others will know this is rampant and widespread in the government.

The director of the Allied Boating Association of Canada indicated that 750 copies of a 7-page kit describing proposed new regulations to ban discharge of waste water

were sent to him for distribution to his association. He believes the kits must have cost about \$500 to send to them. This particular individual has a total of 80 members in his association.

Can the Premier tell me what type of controls he has in place in all of his ministries to ensure that this massive amount of paper—in this case for the environment, most of it going back into dump sites somewhere in the environment—that we do not continue to waste these kinds of dollars on postage, on letters, on garbage that is being sent out daily from ministry after ministry in this government?

1420

Hon Mr Rae: Again, the member will appreciate that I am not familiar with all the facts of the case which he has described. I would just say that if there are any extra copies, they can always be sent back. But I would certainly say to the member that, again, I think he points to a problem, I think he points to an issue that people are becoming increasingly aware of. We are working at it within the government in terms of trying to reduce the paper flow and trying to turn the government into a more environment-friendly, user-friendly place. All these suggestions, which are very positive and very constructive, are ones we will certainly want to look at.

Mr Harris: Let me try another. I brought an issue to the Premier's attention some time ago about a \$40 courier bill for a letter from his office. My office is receiving calls daily from taxpayers complaining about how this government is wasting money.

One taxpayer called this week to tell me he received information from the Ministry of Tourism and Recreation by courier that could just as easily have been sent by mail. When he phoned and told staff at the ministry there was no rush, he was told, "Don't worry, we usually send these things out by courier."

In these tough times, the private sector is forced to tighten its belt. Companies like General Motors have to cut costs to survive. It is unacceptable to me, it is unacceptable to taxpayers, to businesses, to families, to have this government carry on wasting money daily, just in the simple communication to constituents. The Premier would know that a courier has to cost 5, 10, 15 times, in his case 40 times, more than simple mail.

Since we brought to his attention the flagrant abuse in his office, are there any directives or is there any action he has taken to ensure that we cut down on this kind of bureaucratic waste?

Hon Mr Rae: The suggestions the member is making are very positive ones. I do not think there is anybody in this House who looks with favour upon examples of waste. When you can show examples of conspicuous waste, I think it is important that everyone hear about them and that we try to improve the situation. I think what the member is suggesting is something that everyone can agree on. No one is in favour of that kind of thing.

I would just point out to the member that in terms of our overall approach to the budget, we have insisted to ministries that they severely restrict increases in departmental expenses to no more than 2% over the last year.

That is going to require some efficiencies just to be able to reach that level.

CONFLICT OF INTEREST

Mr Elston: I would like to return to the content of our notice of want of confidence motion yesterday and ask the Premier if he is familiar with the fact that one of his members, who advertises himself as the parliamentary assistant to the Minister of Tourism and Recreation, has gained a benefit for one of his constituents in front of the LLBO and in fact has bumped four other applicants from their hearing schedule so that his constituent may receive an early hearing. Is it the Premier's view that it is perfectly in compliance with his conflict-of-interest guidelines and his code of conduct for parliamentary assistants that they are able to receive preferential treatment for their constituents over other valid applicants in front of a provincial tribunal?

Hon Mr Rae: The member has made an allegation. I think I owe it to the House and to others to look into it, as I think would be fair in the circumstances, and to try to get back to the member.

Mr Elston: I will send the material that I have at hand to the Premier, but I must say that the information which was given to us includes the following, and I will quote from written material:

"For more than two weeks, the Premier's office has been aware of these concerns. Undertakings to inquire into and respond to the matter have not been met and the method by which the highest political office in the province has handled the complaint has been totally unsatisfactory."

Since his office in fact has not responded for more than two weeks to this matter, and since the Premier's office has known about this incident, predating the one of confidence, predating the interesting events that transpired here last week, I wonder if the Premier can now tell us that his office is totally without control or responsibility when it comes to the matter of conflict of interest and inquiring into the conduct of his members.

Hon Mr Rae: I do not think, in fairness, that is fair. The member will appreciate that there is a very real difference between an allegation that is made and an investigation which is carried on in terms of looking into the allegation and proving the allegation. I think the member knows perfectly well, as well, that if there is a concern with respect to the Members' Conflict of Interest Act, there is a procedure to be followed with respect to filing a formal complaint with Judge Evans. These provisions are there, and I would say to the member that if he has such a complaint or comment to make, that is another place where he can take it as well.

GARBAGE DISPOSAL

Mrs Marland: My question is to the Minister of the Environment. On 11 April the minister announced her decision to ban all future municipal solid waste incinerators. However, there are examples of incineration which do not precisely fit that definition of municipal solid waste incineration. The minister's position on these related practices is not clear.

For instance, a company in my riding, St Lawrence Cement, wishes to burn refuse-derived fuel in its cement kilns. I know the minister is very familiar with their proposal. As the name of the fuel suggests, it is derived from municipal solid waste, but it has been processed so that it no longer is municipal solid waste.

Does the minister's ban on municipal solid waste incineration include the burning of refuse-derived fuel?

Hon Mrs Grier: I am sure the member is well aware of the kind of semantic definitions we get into when we are talking about refuse-derived fuel and the forms in which it comes. There are those who say that shredded tires can in fact be refuse-derived fuel, and there are those who take the general definition of municipal solid waste, what is usually picked up by municipalities, from which pellets or bricks are created; is that burnable?

The policy I announced on behalf of the government was that all future incinerators designed to burn municipal solid waste would be banned in Ontario and that I would look into the operations of the existing and already approved municipal incinerators.

I made the point that there are a number of specialty incinerators. The member's colleague raised the issue of biomedical waste yesterday, and I know there is wood waste and those others, which we are quite frankly looking at trying to clarify the definitions, but we have not yet announced any policy with respect to that.

Mrs Marland: The minister did not make it quite clear whether she considers refuse-derived fuel a municipal solid waste in another form, and I would appreciate that answer. I have written to ask the minister that, by the way.

Also, in the minister's announcement she said she would review the Peel resource recovery incinerator in Brampton, which has not opened and which she just referred to a minute ago. The Peel resource recovery facility would incinerate more than just municipal solid waste. It would also incinerate the huge amount of garbage that comes off the planes from Pearson International Airport. As the minister knows, the garbage from planes must be disposed of in the vicinity of the airport since international regulations prohibit returning the garbage to its destination. Airline garbage is not solid municipal waste, so again it is unclear whether the minister's policy announcement applies to it.

Can the minister tell this House whether she will permit airport garbage to be incinerated, and if not, where she will dispose of it? Will she permit airports to incinerate solid waste because it is on federal lands? There is no federal air zone freeze.

1430

Hon Mrs Grier: The member raises an issue with which I suspect both she and I are very familiar, having constituencies in municipalities abutting the airport. As she will be aware, and perhaps other members of the House are not, the federal government has been struggling for some time with what to do with the waste from international airlines. Again, we are into definitions. Essentially, it is food waste and packaging waste and all the things that

come off a plane, which if it were collected from a hotel in downtown Toronto would be municipal solid waste. Under the federal Department of Agriculture guidelines it cannot be landfilled, and that has been a very real issue.

What I said with respect to the Peel incinerator was that we were reviewing its certificate of approval. The member indicated in her question that this incinerator was presently licensed to burn the waste from the airport. That is not my understanding of the situation, and examination of that would be part of the review of the certificate of approval we are currently undertaking.

CONFLICT OF INTEREST

Hon Mr Rae: Mr Speaker, having received a copy of the record from the member, I wonder if I might possibly give an answer to his question.

First of all, I had the distinct impression from his question that the member wrote the letter. It was not; it was his constituency assistant. She says: "I have been asked to find out why his client must wait so long for a hearing and, second, if there is any way of shortening the waiting period. If you could respond to this letter, the above Bracebridge constituency resident would be most appreciative."

This is for a licence under the name of Uncle Buck's Sports Lounge. The executive director of the Liquor Licence Board of Ontario says in response to this request of Uncle Buck's for a speedup: "As a result of the applicant's plea for urgency, and having received telephone calls from the applicant"—and he advised the applicant of the process—"four applications for licences which predated the application by Uncle Buck's were bumped." There is no reference at all in the correspondence or anywhere else to there having been any interference by the member for Muskoka-Georgian Bay whatsoever.

Mr Elston: What the Premier did not read was the final page, which I knew he would not, because the testimony printed in front of his very eyes and underlined so he could distinctly see it is an indication that the hearing was held because pressure was put by Mr Hutton. He said Mr Hutton said, "You would not believe the pressure we put on the member so that we could get this hearing now."

It is quite clear that the member for Muskoka-Georgian Bay's office represented the facts on behalf of the lawyer for Uncle Buck's and that in fact this was made as a change.

It is obvious the Premier takes the easy way out, and in this case the Premier must still answer the question: If it was so easy for him within 15 seconds of looking at the material, why is it that over two weeks elapsed before his office would reply to the people who responded to the early hearing date for Uncle Buck's Sports Lounge?

Reading the full material, it is obvious the pressure made was what caused the change in the date. How does he address the concerns of the applicants who were bumped?

Hon Mr Rae: If you look at the record—

Mr Bradley: Read the page.

Hon Mr Rae: I have the last page right here. It says:

"With all due respect, Mr Chairman, you will not believe the pressure I had to put to bear upon my local member of parliament to make sure the hearing was this month. The board wanted to have it in July or August."

If you look at that statement there is nothing to suggest pressure, either in the response from the executive director or in the correspondence, which is not from the member for Muskoka-Georgian Bay; the correspondence is from a constituency assistant. This is the heavy pressure we are hearing from the constituency assistant: "I have been asked to find out why the client must wait so long for a hearing and, second, if there is any way of shortening the waiting period." If that is pressure, give me a break; put it in some perspective.

The Speaker: Before proceeding, just a reminder to the member for Sault Ste Marie, who believed he was next on the list. By our practice, when a member of the cabinet or the Premier stands to respond to a question asked earlier, there is a supplementary added, but we then move next in rotation beyond the government party. That is our practice. If you want to change the rules, go to the rules committee.

SOFT DRINK CONTAINERS

Mr McClelland: My question is for the Minister of the Environment. Last October she made a speech to the Recycling Council of Ontario. In that speech she stated her intention to maintain and continue to enforce the existing regulations with respect to soft drink refillable containers as of 1 April 1991. We have the figures in for this past April and they indicate the refillable container returns are at 13%. The regulation states and requires that 30% of containers be refillable. Is it still the minister's intention to maintain and enforce the existing regulations?

Hon Mrs Grier: The member is quite right. The challenge I had issued to the soft drink companies was to meet the regulation of 30%. They have not done that, so the data submitted by the companies and the information has been referred by me to the investigations and enforcement branch of the ministry.

Mr McClelland: The minister said she was going to vigorously and rigorously enforce the regulations. Have any charges been laid, and if not, why not? Is she going to maintain and enforce the regulations as she promised she would? Why have no charges been laid, if they have not? What is the minister going to do about keeping her promise?

Hon Mrs Grier: The member was a parliamentary assistant to the former Minister of the Environment. I am sure he knows full well that the charges are not laid by me. When the information is received and totalled, as it has been in the first two weeks of June, it is referred to the investigations and enforcement branch, and decisions beyond that are made by that branch. I indicated in my response to the first question that is precisely what has been done, that is how it ought to have been done and that is, I suspect, how it has always been done.

NATIVE ISSUES

Mr J. Wilson: My question is to the minister responsible for native affairs and Minister of Natural Resources.

On 28 March he announced in this Legislature he had signed a statement of intent to begin the process of resolving the land claim of the Algonquins of Golden Lake, which he described as being very strong.

The government's position is apparently based on a five-year-old research report which contains a disclaimer that the report's author reached no conclusions and recognized that other facts might subsequently be found having a bearing on the admissibility of the claim.

Has the Ontario native affairs secretariat carried out additional research since the document in 1986 which assisted the minister in concluding that the Algonquins have a very strong land claim?

Hon Mr Wildman: The report to which the member refers is the report by Lise Hansen of the Ontario native affairs secretariat. It is certainly true that during the process of analysing the claim there will be other information available. That is of course one reason we are consulting with all groups, including the ad hoc committee represented at the meeting in Huntsville last night. We are looking forward to receiving more of the information they have as part of their research. The advice we received was based on the analysis done by officials in both the native affairs secretariat and the Ministry of the Attorney General.

1440

Mr J. Wilson: One of the problems is that the minister put the land claim together with the subagreements on hunting and fishing. The Ad Hoc Committee to Save Algonquin Park has been invited and has participated in discussions on the subagreements, but it has not been invited to participate in discussions concerning the land claim. I am specifically asking him about the land claim today.

The minister knows the Ad Hoc Committee to Save Algonquin Park released an information bulletin this morning and it examines the claim of the Algonquins of Golden Lake in great detail. As anticipated in the 1986 research report by his ministry, the committee has found other facts it believes are relevant to the land claim. In all, it points out no fewer than eight major flaws in the claim.

On the basis of the committee's findings, will the minister now undertake an in-depth historical and legal review of the Golden Lake claim to determine its validity and, until this is done, will the minister suspend negotiations on the land claim and the interim fishing and hunting agreements?

Hon Mr Wildman: The member raises some important questions, but I want to indicate that the preamble to his question is incorrect. Last night, specifically in Huntsville, our negotiator said to a representative of the ad hoc committee that he would be interested in receiving the research they have done on the land claim. If the honourable member has been informed that they have been told we do not want their information, that is completely incorrect.

The fact is that the interim agreements are directly related to the land claim. Obviously, there would not be a need for interim subagreements on the aboriginal rights if there were no land claim file we are now beginning to negotiate. There may be some inaccuracies in the Hansen report; I am not certain. But if there are, we are happy to

discuss those and look at the research that indicates there are.

I point out, though, there are also some inaccuracies in the paper presented at the news conference this morning. For one thing, it says I announced in January there would be unlimited recreational hunting and fishing and unlimited access by trucks, all-terrain vehicles and snowmobiles to over 1,000 members of the Golden Lake band. At no time have I ever made such a statement.

ALGOMA STEEL CORP

Mr Martin: My question is for the Minister of Municipal Affairs. Members are aware that those of us who work and live in Sault Ste Marie these days are on the edge of our seats as we await the outcome of the task force on Algoma Steel's future and watch the daily drama unfold.

A couple of particularly worrisome pieces are around the commitment to the city regarding Algoma Steel paying its taxes. We were hit not so long ago with an appeal of its assessment, which takes millions of dollars out of our pool of money. Just recently we found out that Algoma is not going to be able to pay its present instalment of taxes and in fact states it will have difficulty meeting its September commitment. This removes \$16 million from city coffers.

What assistance, if any, can we expect from his ministry in light of these very serious decisions and the impact they are having on my city's ability to carry out its functions?

Hon Mr Cooke: I appreciate the question from the member. I also appreciate his ongoing interest and the many contacts he has made with our ministry to try to get this matter resolved and to achieve assistance for the people of his community.

Our ministry has been in touch with the city of Sault Ste Marie, and discussions will be going on to see what involvement and assistance we can provide. We have a program under our ministry to help communities detrimentally affected by drops in assessment due to the economy or assessment appeals, and we will be able to provide assistance. It is now just a matter of the negotiations and discussions with the city to see the level of assistance that will be needed in the member's community.

Mr Martin: In light of the very serious nature of this question and the fact that as each day goes by the money not coming in accumulates and the projects we have on stream, especially the anti-recessionary projects this government wants to participate in with the municipality, can the minister give me some time lines as to how quickly this will happen or some assurance it will be as quickly as possible?

Hon Mr Cooke: As a result of the conversations I had with the member earlier today, I have talked to ministry officials and impressed upon them, and they already understood very clearly, that his community needs an answer very quickly. I can assure the member that answer will be within the next few days. We are working with the community as quickly as we can to determine the level of assistance required, but the answer will be quick.

MINING INDUSTRY

Mr Miclash: My question is to the Minister of Mines. All indications are that the Ontario mining industry is in serious trouble. All we have to do is look at the facts. By the Minister of Mines's own account, nine mines have recently closed in Ontario. There are few prospects of new mines on the horizon, and when there is a potential for a new project, like Shoal Lake in my riding, the NDP seems to want to ignore it.

Ontario exploration expenditures have plummeted as well, and two days ago the Minister of Northern Development announced that the final 700 direct mining jobs in Elliot Lake are to be phased out in the next five years. This brings the total direct mining jobs lost to over 3,000 in Elliot Lake alone. The facts are clear: People are losing their jobs and, as I say, Ontario mining is in crisis; yet we have a Minister of Mines who continues to act as if everything is as it should be.

My question to the Minister of Mines is specific and direct. As late as 25 March, the minister told the House that there was nothing to worry about and that in fact mining employment levels are the same now as they were two years ago. Can the minister tell us whether he really still believes the statements he made on 25 March are accurate and if not, can he clarify this information for the House now?

Hon Mr Pouliot: If you choose to put the onus on the negative, you will say the mining sector has been somewhat or severely impacted. If you wish to put the onus on the positive, and therefore to look to the future with confidence, you will readily acquiesce that the mining industry is still an industry that contributes \$7 billion to the economy of Ontario, that employs directly and indirectly 80,000 to 85,000 people and that among industrial sectors, mining pays the most money; it puts the most money into people's pockets.

We do not, unfortunately, control the price of gold. We do not have an input with the London Metal Exchange. We do not control whether a major corporation in Chile will significantly impact the price of copper, zinc, lead, industrial or other minerals. But all systems are go. We are spending \$4 million with the Ontario prospectors assistance program to help prospectors. There is \$11 million of taxpayers' money for junior exploration companies. That is not all. There is \$30 million between the feds and the province so that mining will continue to have its rightful place under the sun and a leading role in the economic development of this province.

Mr Miclash: That answer is not going to stand well for the many miners who are out of work or for the many mining towns that have been closed down. By improperly representing the health of the mining industry, as the minister just has, he is actually jeopardizing any chance that this industry, vital to the economy of this province, as he indicates, is going to recover.

The Ontario mining industry is in a crisis and permanent job loss is the result. The minister knows that very well. Yet while the rest of the world is adapting to global technological changes, the NDP Minister of Mines is

handing out fake gold coins reliving Ontario's past. While Quebec steams past us in terms of exploration incentives, the minister again is sitting on his hands, again blaming the federal government. While other jurisdictions are aggressively seeking out mining investment, this minister is content to oversee many programs that, as he indicated, were initiated by our former government.

Again, my question is a simple one. Can the Minister of Mines point to one significant new initiative, one personal intervention, anything that has renewed investor confidence, buoyed exploration expenditures or lured industrial growth in the mining industry to this province? One example of his own initiative since taking office is all I want.

Hon Mr Pouliot: As the member is aware, it is not the style of this government to take credit for the increase in the OPAP program. We work in the collective for the benefit of people outside these walls, whom I respect. After such a lengthy question, it would perhaps have been appropriate if the member opposite had come up, in the spirit of partnership, with some innovative, imaginative ideas.

Yes, he is right, we are constantly rising to the challenge by rearranging the dollars that are available to mining. We are very cognizant that you cannot turn gravel into gold. Only the opposition can pretend to do that. We know about our responsibility. In a mining town, while the going is good, you survive for five, 10, 15 and 20 years. We are most aware that resources are finite, that we have a responsibility to diversify. Fascinating, interesting. We are doing what we can to find other mines and yet we are diversifying. Not tales of Houdini, the real world of today.

1450

TRUCKING INDUSTRY

Mr Arnott: That is a hard act to follow, but I have a question for the Minister of Transportation and it deals with his moratorium on the issuance of new trucking licences.

On 25 April the minister announced he would issue no new trucking licences to applicants who wished to operate in Ontario. It has been suggested to me from a number of sources that the minister had no statutory authority whatsoever to do this and so has been acting without statutory authority for almost two months. Would the minister indicate whether this is true? If it is, when is he going to introduce the required amendments?

Hon Mr Philip: No, it is not true, and the legislation will be introduced hopefully before the House adjourns.

Mr Arnott: I do not understand the response. He said it was not true and yet he has to put forward legislation.

The minister has repeatedly been asked by the trucking industry for lower taxes to level the playing field so our carriers can compete against their US counterparts, but we have heard today from the Treasurer that he is not contemplating a reduction of the diesel fuel tax.

Would the minister care to share with the members of this House what specific initiatives he is considering, other than the licence moratorium and the registration and bonding of load brokers, to save Ontario's trucking industry?

Can he assure the House that his plans do not include further reregulation of the trucking industry, such as the introduction of a route rate schedule?

Hon Mr Philip: I had a very interesting and favourable meeting with my federal counterpart, the Minister of Transport, in Ottawa last week. We are looking at a variety of proposals and seeing where we may be able to work together in a co-operative spirit to deal with the problems of the transportation industry that were caused, of course, by the deregulation by the federal Tories in Ottawa and the provincial Liberals here in Ontario.

I am pleased at the result of that meeting. The federal government does have a study, which is now before the federal Minister of Transport. He has said he will work jointly with me after he has had a chance to study that. Both my federal counterpart and I hope to work together with the trucking industry to resolve a very difficult situation, which was not created by this government but which we are willing to deal with.

COMMUNITY INFORMATION CENTRES

Ms Haeck: My question is for the Minister of Culture and Communications. My riding is very fortunate to have a community information centre. It is called Information Niagara, and I wish to take this opportunity to congratulate them for a job well done. They have been there for many, many years. This centre serves St Catharines and the Niagara Peninsula, responding to people's inquiries for a variety of crucial community information; for instance, day care, community information in general, single-parent programs, housing, family assistance and questions relating to food and shelter.

I understand the minister has quite recently provided a 5.5% increase in operating grants for community information centres across this province. Given the current economic situation and the increased demand for the services provided by community information centres, is the 5.5% sufficient to provide these very valuable and necessary services and enough for the survival of CICs themselves?

Hon Mr Marchese: I want to thank the member for St Catharines-Brock for the question. There are approximately 76 community information centres across Ontario; 56 are supported by us. As the member has correctly mentioned, they provide valuable information about government and community services in Ontario, many of which have been traditionally marginalized, I should point out.

The community information centres have been experiencing chronic underfunding for many years. What is worse is that the previous government eliminated community information centres from the ministry's budget in a constraint program. What we have done as a government, which I think will help many of them across Ontario, is we have reinstated the full CIC budget into the ministry, and we have given a 5.5% increase in operating grants in 1991-1992, which is the most significant increase in over five years. As well, we have just announced a safety net funding program to prevent layoffs and reduction in hours of operations.

Ms Haeck: I would further like to ask what the future holds for community information centres in light of all the funding the minister has now put back into place?

Hon Mr Marchese: This government is undertaking a review of public access to government human services information. This review will look at how the average person obtains information from governments. It will also look at whether we are duplicating services.

We are also looking at how community information centres fit into the whole network of access to information. I think it is important for the Liberal Party as well. The Association of Community Information Centres in Ontario and other community organizations as well as other ministries will be part of an advisory group to advise us on how well people are receiving information in Ontario. We will have the recommendations of that later on this year.

Mr Bradley: I thought there was going to be some revenge for five years, three months and four days of those kinds of answers from me, but there is not.

JORDAN BRIDGE

Mr Bradley: Jordan Bridge is falling down. My question is for the Minister of Transportation, who would likely be aware that the bridge over Jordan Harbour is falling apart at this time. The mayor of Jordan, the mayor of Vineland, the mayor Beamsville, the mayor of all Lincoln, Ray Konkle, has called for its replacement. In fact, he said: "It is not a question of if the bridge will fall; it is a question of when. They've got an accident waiting to happen. Three pieces of the Niagara-bound bridge have already fallen into the harbour, with the last piece measuring about 46 centimetres by 20 centimetres." The St Catharines Standard in an editorial on 17 June has called for its replacement.

Will the minister give instructions to his ministry to replace the bridge over the Jordan Harbour immediately to avoid an unfortunate accident and potential long delays for the member for Lincoln, the member for St Catharines-Brock and all the people in the Niagara Peninsula and the tourists? Will he do this favour for us? Will he announce this today and make everyone in the province satisfied and our visitors to this province as well?

Hon Mr Philip: I am so pleased the member has asked a question of me on this. I am sure he would be more familiar with Mr Konkle than I am, but I have read Mayor Konkle's statements. Indeed, there was a failure in the sense that there was a punching failure, which occurred in the deck of the south structure on 20 April 1990. It was a single, localized failure involving a piece of deck about the size of a dinner plate, not large sections of deck, as some people have indicated and as the press may have played up. I would not want the member to exaggerate the seriousness of the problem in any way, as some people may have.

I am sure the member, being a member of the standing committee on public accounts, would want value for money. The member knows we are committed to replacing that bridge in the next five years. I can assure him that my staff have examined the bridge, that we are monitoring it, that there is no safety problem and that the bridge will be

replaced on schedule. But it would be completely premature to make major alterations to a bridge that is going to be replaced on schedule within the next five years. I am sure the member, being concerned about the taxpayers, would agree with the actions of the ministry.

VISITORS

The Speaker: I am pleased to acknowledge the presence this afternoon of five visiting police officers from New York City who are seated in the members' gallery west.

NOTICE OF DISSATISFACTION

Mr Conway: On a point of order, Mr. Speaker: Under standing order 33(a) I would like to serve notice of my dissatisfaction with an answer provided by the member for Algoma, and I serve notice that I would like to pursue this at adjournment later today.

The Speaker: If the member will fill out the necessary documentation.

1500

PETITIONS

SOCIAL WORK

Ms Poole: I have a petition addressed to the Legislative Assembly of Ontario, which contains some 120 signatures.

"Yes, I demand that the Rae government act immediately to introduce a social work act for Ontario. Without this urgently needed legislation, every member of the public in Ontario, including those most vulnerable and disenfranchised, remains at enormous and unnecessary risk.

"Mr Rae, your government must act now. Building a strong Ontario for tomorrow is dependent on protecting the children and families of today."

I have signed this petition and wholeheartedly agree with it.

FRENCH-LANGUAGE SERVICES

Mr Runciman: I have a petition addressed to the Legislative Assembly. It reads in an abbreviated fashion:

"We, the undersigned, request that the French Language Services Act be repealed and its artificial structures dismantled immediately, and English declared as the official language of Ontario and government, its institutions and services."

HIGHWAY CONSTRUCTION

Mr Martin: The following people have signed this petition, and it is for the Minister of Transportation:

"We oppose any highway development that would encroach on the pristine environment of the Hiawatha conservation areas, including Kinsmen Park, Crystal Creek Conservation Area, Wishart Park and all Ministry of Natural Resources and fish hatcheries property, including adjacent buffer zones and watersheds. This includes the Ministry of Transportation-proposed highway corridor alternatives.

"We feel that any highway development within these corridors would degrade the quality of life in residential communities, have a high impact on the social environment, ski paths, trailways, and have a direct impact on

natural environments that are currently enjoyed by thousands each year. In addition, substantial economic impact would occur on prime tax and recreation land.

"We strongly urge that the above proposed highway corridors not be given further consideration, and be removed from the list of alternatives."

I send this to the Minister of Transportation with a letter signed by myself.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Hansen from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendments:

Bill Pr31, An Act respecting the City of Ottawa;

Bill Pr42, An Act to revive Magnum International Productions Inc;

Bill Pr65, An Act to revive Multimobile Corporation Limited;

Bill Pr75, An Act respecting the City of Chatham.

Your committee begs to report the following bills as amended:

Bill Pr33, An Act respecting the City of Toronto;

Bill Pr34, An Act respecting the City of Toronto;

Bill Pr50, An Act respecting the City of Toronto;

Bill Pr63, An Act respecting the City of Ottawa.

Motion agreed to.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented the committee's 11th report.

The Speaker: Pursuant to standing order 104(g)(14), the report is deemed to be adopted by the House.

INTRODUCTION OF BILL

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS RELATIVES À L'ACCÈS À L'INFORMATION ET LA PROTECTION DE LA VIE PRIVÉE

Mr Tilson moved first reading of Bill 128, An Act to amend the Law related to the Freedom of Information and Protection of Privacy.

M. Tilson propose la première lecture du projet de loi 128, Loi portant modification des lois relatives à l'accès à l'information et la protection de la vie privée.

Motion agreed to.

La motion est adoptée.

Mr Tilson: The purpose of this bill is to amend the Freedom of Information and Protection of Privacy Act, 1987 and the Municipal Freedom of Information and Protection of Privacy Act, 1989 to provide access to information relating to the salary of public service employees.

The bill amends only to the English version of the Freedom of Information and Protection of Privacy Act, 1987; the Legislature has not yet adopted an official French version of this act.

ORDERS OF THE DAY

ONTARIO LOAN ACT, 1991

LOI DE 1991 SUR LES EMPRUNTS DE L'ONTARIO

Miss Martel, on behalf of Mr Laughren, moved third reading of Bill 81, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund.

Mlle Martel, au nom de M. Laughren, propose la troisième lecture du projet de loi 81, Loi autorisant des emprunts garantis par le Trésor.

The Speaker: Is it the pleasure of the House that the motion carry?

Interjections.

The Speaker: No? All those in favour will please say "aye."

Hon Miss Martel: On a point of order, Mr Speaker: There will be a short debate on this, as I understand.

Mr Bradley: As we seem to be moving towards the end of the session, this is an opportunity to deal with the matters directly or indirectly related to this particular bill, and I will attempt to do so today.

There is a recognition that governments do not have all of their funds coming in immediately and that there is a need for at least some borrowing to take place in the province. We are concerned about the level of borrowing taking place, the amount of money required and the amount of interest that is going to be paid, but those matters have been dealt with rather extensively in the House in previous interventions, mine included, during second reading.

I did want to mention a couple of the things where I thought the borrowing would be applicable. I am concerned that if this bill goes through the money will not be allocated to these areas of great importance. One of them is the Ontario scholarship, which used to be offered in the final year of secondary school, which we used to call grade 13, to students who worked very hard and were able to achieve at least 80% in their six best subjects in that last year.

This was something a lot of students looked forward to, not only the recognition of being called Ontario scholars but the financial reward of \$100, which was tangible recognition of the particular work on their part and of their achievement. It was a bit of an incentive for some who saw that they were close to the mark and perhaps were able to put in a little extra effort to mobilize the resources in appropriate fashion in order to achieve this. I expect that the Ontario Secondary School Teachers' Federation, the members of which understand there is a great deal of good in providing this scholarship to young people in our province, would be opposed to this, and I am sure the government will be hearing from them.

Those young people I have discussed it with who in the past have received this particular award, or who were working very hard in anticipation of receiving it this year,

are very disappointed that it is being discontinued. I ask members to think, for instance, if they were students working extremely hard in secondary school this year, recognizing that one of the titles they could attain was Ontario scholar and one of the rewards they could receive was the \$100 scholarship that went with it, how they would feel to be told almost at the end of the school year that they were not to receive that money.

1510

I hoped the government would reconsider in its budget—the largest budget; I think we are over \$52 billion now—that it would not take it out on the young people in our province. I have not come to a conclusion yet whether they are right or wrong, but some people in this province have suggested that the real reason is that the NDP does not like to reward success or excellence because somehow it elevates some people above other people. Certainly I am evaluating that particular point of view put forward. I hope that if the Minister of Education recognizes that there are some who feel this way, some who perhaps unjustifiably or justifiably have come to this conclusion, and that it is necessary to restore the faith of the young people in our province, the Ministry of Education and the government of Ontario. It was particularly disconcerting that the rug was pulled out from underneath them at the very last minute. It would have been bad enough had the government announced, "Next year you're not going to receive it." But taking it out at the very last moment I thought was rather mean on the part of the government.

We had some police officers here from New York City. I was wondering whether those officers would be people with golden helmets and part of a special precision team in New York state, as we have in Ontario. The member for Algoma-Manitoulin was telling me that the OPP Golden Helmets precision team visited Little Current or one of the other communities in his constituency for the last time as the OPP Golden Helmets. He explained to me how sad the people of that community were that the NDP government was removing this tradition and taking away from the police force of Ontario a very good public relations component, a good relationship with the people of this province. They said, "This must be in keeping with the fact that the OPP Pipes and Drums are disappearing"—another institution which has been so well received, particularly in the smaller communities of the province, certainly in my own community in the grape and wine festival parade, where some of the largest and most boisterous rounds of applause come when the Golden Helmets come down St Paul Street in St Catharines or when the Pipes and Drums are heard from a distance."

But the Golden Helmets are disappearing and the OPP Pipes and Drums are being silenced by a government that simply does not seem to care about the traditions that have been built up in this province over the years. The member for Durham East is a man who respects tradition, and in his heart of hearts he probably believes the funding should be restored for the Pipes and Drums, which have instilled pride in so many, not only in Canada over the years but in a place across the large pond called the Atlantic Ocean. I lament that.

The Minister of Health was here earlier. She smiles each time I rise because she believes I am going to ask her a question about the CAT scanner, or lack thereof, in the Niagara region. I thought when the Treasurer was borrowing the large amount of money contained in this bill, that he was borrowing part of it for Ministry of Health operations. He would not have to borrow it, mind you, for the capital cost of a CAT scanner or one of the other machines similar to it to serve people in the Niagara region, because the capital costs would be assumed by the people of the community, who would be delighted to have the opportunity to raise those funds. But of course they need the permission of the Ministry of Health.

We heard the stories the other day of some animals, in the middle of the night, being able to get some CAT scans in the greater Metropolitan Toronto area. People were concerned in St Catharines and Niagara Falls and Virgil and Niagara-on-the-Lake and Bismarck and Camden and the very many communities in the Niagara Peninsula when they heard that it was available for animals, but we could not get a second CAT scanner to serve the people of the Niagara region, people who have to wait some four months to receive this service in many cases, and people who have to go through discomforting and disconcerting tests which are much more intrusive than a CAT scan would be, also the people who have to head to the United States to receive this service, costing the taxpayer additional money and costing themselves additional money to go to the United States. I would have hoped that when the Treasurer was borrowing, he was borrowing for the purpose of the operating cost of this CAT scanner for the Niagara region.

I would have liked to have gone to the Niagara District Health Council's annual meeting today, because this is the number one priority for it, but of course I said I would be in the Legislature today, raising this particular issue once again and drawing it to the attention of the NDP government, which in opposition seemed to be so much in favour of good investments in health care and is now being stingy and taking a long time dithering and delaying about putting a second CAT scanner in the Niagara region.

I see members from the Hamilton area here. They have CAT scanners in their hospitals that service people in their area. Sometimes people are fortunate enough to be able to access those. The members for the Hamilton area know that the CAT scanners they have are necessary to serve the people in their immediate area and that they do not want their people bumped from the list because someone has to come in from outside, someone who does not have that service available to them.

I hope the Treasurer will reconsider that.

The registrar general's office: The Minister of Consumer and Commercial Relations will be interested in this. The move has taken place to Thunder Bay, and the staff do their very best to attempt to service everyone in Ontario, including the MPPs. Something the minister probably does not know is happening, however. I have to keep this relatively confidential, because it is in a confidential area. The member for St Catharines-Brock would be aware of this; her office received the same telephone call yesterday. This

is from social workers who are dealing with adoptive parents. They cannot call my office or the member for St Catharines-Brock's office or any other office to get us to assist in obtaining a birth certificate in an expeditious manner because of confidentiality. These are certified birth certificates, the long birth certificates, we are talking about. Because they are dealing entirely in confidentiality, they cannot share that information with any of the members of the Legislature. I know one person said she had waited since October for one of the long birth certificates.

What disconcerting is that people are now hiring lawyers in Thunder Bay to expedite the service. I do not mean in any illegal fashion at all. They happen to be in Thunder Bay and they happen to know the law. People are now having to spend—how much does a lawyer make an hour? Any lawyers in here?—whatever they make an hour. It can be very expensive, depending on the quality, I guess, of the lawyer or the community, but it is costing these people some considerable sum of additional money than it would otherwise to get these expedited. When they say expedited, they mean a matter of weeks, not a matter of days.

I am glad the Minister of Consumer and Commercial Relations is here. I know she would be concerned about this. I know she will look into this matter, because no one should have to hire a lawyer in Thunder Bay, no social workers, no adoptive parents should have to hire a lawyer in Thunder Bay to do this work, which should normally go through the Ministry of Consumer and Commercial Relations. Knowing her concern, I know she will be quick to look into that.

I heard the leader of the third party raise the issue of waste. Earl Armstrong in St Catharines, a person who speaks his mind on many occasions, spoke to a number of MPPs and government offices about getting information from the select committee on Ontario in Confederation. The Chair of the Constitution committee is here today. He is one of my favourite members of the House because he knows how to vote politically on all the issues that come up on private members' day. I always tell the members of the NDP they should watch him, because he is a smart politician.

Anyway, his committee—and it is not his fault personally; I do not want to attribute it to him or to any of the members of the committee—I know the members want to get the information out. This is a dilemma. I should not be understanding of the government, but I am going to be understanding.

1520

These people have received three and four and five copies of certain things coming from that committee, and they have received it in pretty expensive mailing operations. I hope this government and all of us who are associated with the Legislature, and all members are in this category, would do our best to provide the information expeditiously, but at the same time to do it in a way which is economic for the people of this province and environmentally sensitive.

Hon Mr Pouliot: It's the other guy. The third party does it better.

Mr Bradley: Certainly the leader of the third party as his lead question raised this issue today, so it must be important.

I mentioned that Jordan Bridge was falling down. Certainly the mayor of the town of Lincoln, Ray Konkle, has had his photograph taken taking photographs of the bridge falling down. It is not only a matter of the people who go in boats under the bridge, and the cement falling down and the wood falling down on those people, but what is important to those of us in the peninsula, and we know this, is that I would not want to see the member for St Catharines-Brock delayed getting to the Legislature for a vote which could cause the downfall of the government because the bridge is falling down. I would not want to see damage to her car, because she would have to access the insurance system and she would find out that the rates are remaining quite low, despite the chagrin of this government at that fact.

Mr Scott: Peter Kormos will have introduced fault by then.

Mr Bradley: I know there is another member who has a Corvette, and he likely would not be faced with a problem with this, because the Corvette moves more quickly than some of the other vehicles and he is unlikely to have this problem.

But it is a serious problem. Some may remember reading the story about a situation in New York state where a bridge fell down and I think there were some fatalities and some people who were hurt. We do not want this to happen. It is a heavily travelled road. I know, as the minister has pointed out today, there is a schedule five years from now when the bridge is to be replaced. I hope the minister would consider accelerating that, particularly in view of the fact we are in a recession. It is money that has to be spent anyway. It is not new money, it is not over and above, it has to be invested anyway. Therefore, this problem, which has arisen since the NDP came into power, is one that must be solved by the New Democratic Party.

I also would like the Treasurer, when he is borrowing money and when he has to talk to the other ministers, to consider using his influence with the federal government, which is considerable—I saw that he was getting along very well at the recent federal-provincial meeting; he said no one was picking on him at that particular meeting—to bring about a situation where one of the Department of National Defence contracts goes to Port Weller.

The reason I say that is that the Treasurer's government is borrowing money, and one of the reasons he is borrowing money is to construct a new ferry for Pelee Island. This was negotiated by the previous Liberal government and confirmed very well, and I gave credit, by the new government of Ontario to go through with this contract. That is helpful to Port Weller. The province is doing its share. I hope the Treasurer, when he is talking about this loan bill to his federal minister, will indicate that Nora Blyde of St Catharines is correct when she says that Port Weller needs more contracts, that we need employment. We have to bring it back to its days of 800, 900 and 1,000 employees.

The federal government has it within its jurisdiction to do this.

The member who sits in the chair now, a member from eastern Ontario, knows of a concern when he sees so many contracts of a federal nature going to an adjacent province and his municipality perhaps does not have the same access to those. I share that concern with him, and I hope that the federal government, when it is considering this, will remember that our Treasurer is in the midst of attempting to fight a recession and that he needs some federal government help. One of the best ways to do that is to invest money in the province by having a contract for a mine-sweeper or one of the other major contracts for the Department of National Defence going to Port Weller Dry Docks in St Catharines. I know the representatives of the union in that case—Dave Brown has called me on a number of occasions, and other representatives of the union—would appreciate this as well, because they are people who are excellent workers and people who require this to keep bread on the table for their families.

I also would like to talk about the tax on auto workers one more time, because the borrowing will be influenced. That is how I get this into this particular debate. The Treasurer will say that perhaps I have raised this too often in the House, but I do not think you can raise anything too often.

I want to say I at long last have a glimmer of hope, because while the Treasurer talked before about some meetings he would have with others about this matter, he has now suggested he is going to, I think he used the word "fine-tune" this particular tax measure. I want to commend him on at least taking that step of fine-tuning, because certainly auto workers in my constituency, the CAW bargaining unit in my constituency, and I am sure in all auto-making communities in the province—the Minister of Labour would be on my side on this. I know he is probably the buzz-saw in cabinet now who is making the Treasurer sit up and think about these matters, because he and I have been on the same platform at the CAW hall, Local 199, in St Catharines fighting for many of the same causes in years gone by. I know he is on my side on this issue, and it is good to see that he is there.

I see the member for Lincoln and the member for St Catharines-Brock. They probably both agree with me. I do not expect them to rise in the Legislature and say so, because both would like to be in the cabinet some day and you do not get into the cabinet by rising in the House and publicly pestering the Treasurer or any other members of government. But I am sure that behind closed doors they have made similar representations, because the member for Lincoln, for instance, was a valued employee at General Motors who knows the operation there probably as intricately as any member of this Legislature, and he knows how important that industry is to the city of St Catharines and the Niagara Peninsula.

Hon Mr Laughren: Who?

Mr Bradley: I am referring to the member for Lincoln on this occasion.

I was reading a story about the Treasurer in the Hamilton Spectator that said he had roots in southern Ontario as well, in the Haldimand area, so he understands, I am sure, and he has had it brought to his attention by representatives. You often have a hard time, and the member for Lincoln would understand this, and some other members, bringing management and labour together. They disagree on many, many items, particularly in terms of collective bargaining.

But our Treasurer has brought labour and management together on an issue by imposing a tax on auto workers in this province. He has done this, and the company has said, "This is bad for our sales; this is not good for the auto industry." The union has said, "This is bad for our workers and their employment prospects." All of them understand that we are in the midst of the deepest recession since the 1930s, and they understand that the competition that is being faced today is unprecedented, from offshore, from Mexico, from Asia, from South America even, now, from Europe and certainly from the United States. They know the imposition of this tax at this time is unwise.

The Treasurer has chastised me in the House from time to time to say: "You were the Minister of the Environment. You should understand the reason we're doing it. It's for the environment." I wish I could believe that. I would never say that the Treasurer would be misleading the House, because he is a man of integrity and he would not do that. But I know generically what Treasurers are like, right across the country, and the thing they like most is putting their hands on the money of the taxpayers in the province, of getting revenues. I suspect—I could be wrong; the Treasurer would tell I am wrong—it is a tax grab disguised as an environmental tax, disguised as a conservation tax.

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I really believe our Treasurer should not just tinker with it, not just—what is the word we are using now? The word they were using in the newspaper that said he was doing something with the tax.

Hon Mr Laughren: Fine-tuning.

Mr Bradley: Fine-tuning. He should not just fine-tune it, because it is not that our vehicles in Ontario would not benefit from some fine-tuning; what they really need is replacement.

Mr Conway: That is what John White attempted to call his famous energy tax.

Mr Bradley: John White, a former Treasurer of this province, attempted to call his energy tax "fine-tuning," and of course he had to withdraw his tax.

Mr Conway: He tried to call his backdown fine-tuning.

Mr Bradley: It was a backdown.

I would say to the member for Renfrew North, who intervenes in this debate, that I have already promised the Treasurer that if he withdraws his tax I will not call the retreat. I have promised him that. A strategic withdrawal, perhaps; a retreat, never. I said I would publicly compliment him if he totally withdrew this tax and replaced it with a financial incentive for people to purchase new vehicles in Ontario.

Hon Mr Laughren: What about the revenues?

Mr Bradley: What would that do? First of all, it would increase revenues for the Treasurer. That is what he is most concerned about. How would it do it? More people would buy vehicles; they have to pay sales tax—

Hon Mr Laughren: Sounds like Reaganomics. Ronald Reagan is a Liberal.

Mr Bradley: No, no. They have to buy vehicles, they pay sales tax and it increases the revenues. It is interesting that the number one concern of the Treasurer as he interjects is revenue. I thought the number one concern was the environment. Now I hear it is revenue. He says, "What am I going to do for the revenue?" I am suggesting to him that he will benefit from this stimulation of the provincial economy.

You say, "What does that do environmentally?" Environmentally, what it does is the following. Brand-new vehicles have far better emission controls than the older vehicles. Second, their fuel efficiency is far better than the older vehicles' is. So if the Treasurer is really interested in an environmental gesture of importance, he accomplishes both by following my direction and suggestions. He improves the air quality, he improves the fuel efficiency in this province, and at the same time the bonus is this: he gets some cash from it, although maybe not as much as he would like. But the other benefit is for the auto workers in this province, people who live in my street and whom I and others in this Legislature represent, who would then see increased sales of vehicles and so the assembly plants do much better economically and the parts plants, those who produce parts for the vehicles in this province, do better.

Mr Hope: They get most of their parts from the States.

Mr Bradley: The member for Chatham-Kent says they get most of their parts in the United States. I will have to check with representatives of the CAW in St Catharines and my neighbours—

Mr Hope: Local 199.

Mr Bradley: Local 676 at Hayes-Dana as well. I will check with those people, add in 199 in St Catharines and I will check with my neighbours who work in various auto plants and parts plants in our area to see if indeed most of the parts are made in the United States and they do not have to worry about the Treasurer's tax on auto workers. I will have to see if that is the case. I somehow do not think so from my conversations so far with those individuals and what I have read about what they have had to say.

Anyway, I look forward with anticipation to the announcement of the provincial Treasurer of this change. I hope it is momentous. If he does it in the Legislature instead of waiting until the Legislature stops, I want to be able to rise in this Legislature and pay tribute to a Treasurer who had the intestinal fortitude and wisdom and consensus-seeking ability, as had the Minister of Labour who did the same thing with Bill 70, who did a lot of consulting with people and then came in and said, "It's not the bill I wanted originally, but I understand it's probably a better bill the way I have developed it." I will look forward to the

Treasurer doing that. Knowing that he is the open-minded person he is, everyone who represents Chelmsford over the years and Walden and many of those fine communities, Chapleau and others—

Hon Mr Laughren: Shining Tree; do not leave out Shining Tree.

Mr Bradley: Shining Tree—would be a person who would think possibly about that potential change.

The other thing I think this loans bill deals with, and I wonder about passing it, is patronage.

Hon Mr Laughren: You are running on a bit, though.

Mr Bradley: The Treasurer suggests I sit down right now. I have observed the New Democratic Party in the federal Parliament over the years. I used to get the federal Hansards. I still have them down in my basement. Some would suggest I have everything down in my basement—newspapers, you name it, it is down there; even the federal Hansards.

I have observed the New Democratic Party. I used to read the speeches of David Lewis, and what an eloquent orator he was in the federal House. Son Stephen, in the provincial House, I had the privilege of sitting with for some period of time.

Mr Conway: Stephen was so eloquent and so pure that when Brian Mulroney called he said, "Ready, aye ready."

Mr Bradley: I was not thinking of that patronage appointment because I think that was a good choice. I happen to think that when Ian Deans, former member for Hamilton Mountain in the federal Parliament, took the federal appointment at \$94,000—it would be over \$100,000 now—that was fine; it was a good appointment and I did not become angry with him.

When Ed Broadbent took his appointment from Brian Mulroney at over \$100,000, no one heard me get up in this Legislature and object, because I know that was a good appointment to a commission which deals with human rights. When Stephen Lewis was appointed as ambassador to the United Nations, I did not object to that; I think it was an appropriate appointment.

I was convinced, as perhaps the Speaker was, that the NDP was different; that somehow there would not be the list of patronage appointments. Now I look in my own area and other areas and see that all the New Democrats are getting appointments.

Hon Mr Hampton: We are appointing former Liberal MPPs as judges.

Mr Bradley: The Attorney General interjects. I am not standing here to object to that. I am standing here to object to the fact that the New Democrats portray themselves as different from other parties. The Treasurer and I probably agree on the matter.

This morning before the committee, Michael Cassidy, former leader of the NDP, was just appointed to the Ontario Hydro board. I have not seen a more partisan performance before a legislative committee than I saw with Michael Cassidy. But I expected it. I happened to like Michael Cassidy; a lot of people in the NDP apparently did

not. I admired him. I did not agree with him all the time, but I thought in the House he made some interesting points against the government of the time.

Mr Conway: They would not even know that his father ran for the Liberal leadership and was denounced, I think, after the fact by his son.

Mr Bradley: But there we are in committee. We do not vote this week on this. I have to give it some serious consideration.

We have had several New Democrats who have been appointed to various positions. There is a token Liberal and a token Conservative who are appointed, but by and large this bunch makes the Liberals and Conservatives look like amateurs when it comes to patronage appointments. My concern was, I was always led to believe the New Democrats were different, that they are a different breed of people in terms of public morality and ethics and that things such as patronage would disappear.

The Premier set up a committee of the Legislature which, of course, is somewhat of a joke because the government has the majority, there is so little time to consider the appointments, it is just going through the motions. But there is Michael Cassidy before the committee this morning saying, was it not nice that we have this new process. He just zipped right through the committee and his appointment was confirmed.

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Ish Theilheimer, who was the many-time candidate for the NDP in Renfrew North, did not even have to go to the committee. He was appointed right away.

I remember when we used to sit around the cabinet table and there would be some really good former Liberal members and we would say, "We can't appoint those people because that's political patronage to do it." But I look at these people and they do not worry about that. Ish was there right away.

I had a number of people who were perhaps not happy with me in the Liberal Party because I would not champion the cause of former candidates or necessarily those who had worked hard for the party. What happens now? The NDP is not different. What we would conclude in this Legislature over the last nine months is not that the NDP—I had better be careful when I say this—was measurably worse than the other parties but that it is the same as the other parties.

The Premier changes his tune. The Premier is a different man today that he was before. I used to watch him in opposition. Some of our members resented the Premier of the province of Ontario, Bob Rae, when he was Leader of the Opposition. I remember he called for my resignation at least once or twice—everybody did at one time or other—and people said to me: "Don't you dislike Bob Rae for that? He is so unfair. There is no evidence at all of tainted fuel. Here he is. He has his members walking out and he puts on a big show and he wants you to resign. Don't you resent that?" I said: "No. That is the role of the Leader of the Opposition."

The Leader of the Opposition has the role and responsibility to criticize and to establish standards. My objection

is to how the Premier's standards have changed now he is the Premier instead of the opposition leader, and how his own members, when they commit indiscretions, are allowed to continue in cabinet or are allowed to be apologized for, when I can recall that his standards were different in opposition, when he pointed the finger and called for everyone's resignation.

What does that say? It says that Bob Rae is the same as any other politician we have seen in Ontario. It is part of government; it is part of opposition. I could say he is worse, but I am waiting to make a judgement on that. I have always liked the member for York South as an individual. Members of this Legislature know that, but I certainly have found my view different today, watching how his standards have changed in government from when they were in opposition.

I know the member for Renfrew North is probably interested in making an intervention in this particular debate. I do not think he has spoken on this, but before I finish, I just saw something else I should mention. When the Treasurer is borrowing the money, I want him to know there is a rally on the bridge at Port Weller on 30 June. This rally is set up by Nora Blyde, who wants to see that federal government contract. I want the people of this province to know about that.

I have many other issues we could deal with, but in fairness, we are in third reading of this bill and third reading is why it should not be read. I want to give other members an opportunity to make some interventions because I will have a chance, when the tax bills come before the House, to make my representations at that time. I will have a chance to talk about whether the tax is going to provide money so that the Minister of Education can provide 60% of the cost of education, as the NDP promised the Ontario Secondary School Teachers' Federation and other teacher affiliates with which I am well acquainted and in which I know many people. I could deal with a number of other issues, but I really believe the member for Renfrew North probably has a contribution to make of some significance that should be permitted at this time.

Mrs Haslam: I was almost out the door today when I heard the member for St Catharines get up and talk about a committee that I serve on, and I thought perhaps I would share some other, clearer views of that committee with people.

We are trying to be very different. We have opened up the process, we advertise for these positions out in the community. That book is available. I know my riding office has it; I know my library has it; I know I have one in my office right now. Anybody who wants to come and look at a job can do so. I have people come in and say they would be interested and I always say: "Please make an application. Here is the process. Here are the forms." I think that is very, very good for the community. They feel there is now an open process, that they all have a chance at some of these positions.

Let's face it, I do not give patronage positions. I do not say: "Here is a New Democrat here. Here is a New Democrat there." They send in a résumé, they send in their job application, and I think that is very important.

When the member talks about voting for Michael Cassidy this morning, I find that very strange because the only person there besides the four government members was one other member. One other member bothered to show up to vote today, and I find it very, very interesting when he says, "Gee, we don't want to have him come in."

It is very interesting, when we interview people, one of the first questions is, "Are you a member of a political party?" We have had more Liberals come up there, we have had more people with no allocation to any party whatsoever, and when they finally find somebody that says, "Yes, I am a member," there is utter shock. They grab their hearts, they go, "Oh my God, an NDP is going to get a job there." Talk about theatrics. It is just amazing to sit in this committee and look at the surprise and shock on their faces.

I see my time if up, but I just feel it was important to bring the true things out in this debate.

Mr Bradley: In reply, I mention first of all that when Mr Cassidy was before the committee, there were four Liberal members sitting there, even though three is all that are allotted, and all were involved in the discussion of his appointment.

The appointments in the province have been advertised for some period of time now. They have got a new book. It is all nicely bound and very colourful, and they think this is something new. Those have been advertised for some period of time now in changes made by the previous government.

The government majority in the committee ensures that anybody who is appointed by the Premier of Ontario will in fact be appointed. I am sure there may be some consultation with the members of the NDP caucus ahead of time, to tell them that these are the people who are going to be appointed.

There is a very limited amount of time available to question these people. Frankly, the committee could have sat the entire morning questioning Michael Cassidy on his views on Ontario Hydro and his qualifications to sit on that particular board. We were very concerned that this board is becoming a political board, which will be instructed and directed by the Premier's office, the corner office in this building. That is why we were concerned and why we wanted to ask those questions.

We know we cannot call independent witnesses. We cannot call somebody else in to say, "Michael Cassidy is not qualified," or "Michael Cassidy is qualified for the following reasons." Nor can we receive formal written representations in that regard. We are limited in the number of people we can see coming through this particular committee.

It is essentially a sham. It is an illusion of some kind of scrutiny and process that makes a difference when in effect it is simply a rubber stamp for the Premier of Ontario to make his patronage appointments. He has every right to make those appointments. He was elected as Premier. But he does not have a right to portray this committee as independent and useful.

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Mr Turnbull: This of course is a routine type of bill, getting borrowing authority. What is not routine about this is the enormous amount of money we are talking about. The government wants authority to borrow \$10.4 billion in the fiscal year 1991-92, which accounts for \$9.7 billion of the debt it is running up and \$639 million for debt retirement.

We see that the province's total debt will be \$51.7 billion in 1991-92, which is up from \$42.3 billion last year. As a percentage of our gross domestic product the total debt will increase from 15% in 1990-91 to 18.3% in 1991-92. Per capita debt will jump from \$4,338 last year to \$5,226 this year. That is an increase of 20.5%, and according to the budget documents, we are going to see an increase in debt load of up to approximately \$8,000 for every man, woman and child in the province within the next four years, this government's mandate.

I am absolutely alarmed. I am struck by a couple of the comments that were made to the Treasurer on his sojourn to New York, where he attempted to sell this ridiculous budget of his. The comment was made, "There is an absolute lack of reality." Another commentator said, "This is lotusland ostriches." Indeed it is true. We have a government which admittedly does not have any experience. Unfortunately they are getting the experience the hard way, and the whole of Ontario is paying for that experience.

I have a very strong belief that I should speak to this issue constantly, irrespective of what government may be in power. That is the fact that if we as a society believe we need that vast array of government services, then we should at least have the decency to pay for it in taxes. We should not leave that debt to our children, and that is what we are doing—

Mr Carr: And our grandchildren.

Mr Turnbull: And our grandchildren indeed.

Mr Hope: It sounds like a Conservative slogan.

Mr Turnbull: It is a Conservative slogan. The member across the way is exactly right. This party very clearly believes in living within our means. It is something which has been very good for Canada over the years, and as we move away from that value, we see that the options that are open to this province and indeed the country are severely limited.

I have often heard comments made by the governing party with respect to the federal debt. I am not happy with the debt, which certainly was Trudeau's debt, but the federal government has not wrestled it down. I ask the Treasurer if he wants to repeat the mistakes that were made at the federal level. Does he want to pile up that debt so we do not have options in the future, we have no manoeuvring room? Eight thousand dollars per man, woman and child by the end of this government's mandate. That is absolutely frightening. It does not just hurt Ontario, it hurts the whole of Canada. Any effort to reduce the interest rates in Canada are defeated by this level of government borrowing.

The Treasurer is nodding his head. I do not know if he is going to sleep or if he is agreeing with me or what, but it is indeed a fact that we directly attack the ability of the Bank of Canada to reduce interest rates when we go out

and have huge public borrowings. Not only that, but we also have the problem that private industry has to suffer because of this. Money becomes less available to them.

We have had 14 tax increases in the last budget, a little over \$1 billion worth of taxes, but the worst is yet to come. When we peruse the budget documents, we see from the revenue forecast—this is the Treasurer's revenue forecast, obviously based upon the kind of growth he is predicting for the economy—we are going to have something in the region of \$9 billion or \$10 billion worth of extra taxes before this government's mandate is over, and I do not know if our industry can take it.

We have had 40 tax increases from 1985 and business is concluding that this is a very bad place to do business. I was struck by comments that were made by the Minister of Industry, Trade and Technology in Paris this week: "We expect the economy to begin recovering later this year. We are now forecasting an average growth of nearly 4% in each of the next three years."

If we are going to have that kind of growth, why on earth do we continue to run the huge deficits that are predicted? There is no excuse for this. If you run a deficit in a year when you have a great recession, given the fact that I understand the Treasurer is a Keynesian economist, then Keynes would surely dictate that you would pay it back in the years when you recover. But there is no projection for the payback of that.

A further comment was made by the Minister of Industry, Trade and Technology in Paris: "The forecast is based on the underlying strengths of the province's economy, strengths that give Ontario a competitive edge in the global economic race, strengths that we must constantly build on to maintain our competitive edge."

That is absolutely correct, but we are not helping our competitive edge with some of the silly laws that are being brought forward. Thank goodness this government has had the sense to take away some of the absolutely ridiculous aspects of Bill 70.

The worst about that is the message that it sends out to business. If any of the unions think the government is doing them a favour, they are wrong, because companies are leaving and they are very quiet about it. They just simply leave very quietly.

Interjection.

Mr Turnbull: I have a rather foolish member across the floor raving on about free trade, the same member who made the statement before, quite erroneously, that most of the auto parts are sourced from the United States. He obviously does not understand numbers and he should indeed examine the record. Last year was the first year in history that Ontario had a positive balance of trade with the United States and a big chunk of that was from the automobile sector. In other words, free trade has given us a positive balance of trade. Amazing.

The member can stick his head in the sand as long as he wants. I can tell him the trouble is that industry is not sticking its head in the sand. It is leaving, and it is leaving with our jobs, jobs for our children, jobs that allow people

to pay taxes to give all of the support services we hold dear to have a good, solid, compassionate society.

Another comment was made by the Minister of Industry, Trade and Technology: "As such, we believe that long-term competitiveness in today's global economy is achieved through a well-trained and educated workforce, partnership between labour and management, concern for the environment and investment in both innovation and research and development."

I could not have said it better. That is exactly what we need, co-operation. But this is not a government which is showing any co-operation. It is showing all kinds of sham consultation, but we know how the consultation is reflected in the legislation that is coming down. We have seen it in the housing bill, a bill that is totally flawed and is dedicated to driving the private sector out of housing.

If they want to be honest and say, "We do not want any private sector housing," frankly I will disagree with them, but I will have a lot more respect for them, instead of driving down people's investments and then forcing them out of business.

The impact on business is quite profound. Ontario has been losing jobs at a much faster rate than any other province in Canada. We are losing 12,000 jobs per day.

Mr Mammoliti: Why?

Mr Turnbull: One of the NDP members is asking why. Indeed the member should ask himself the same question. The answer is that—

Interjections.

1600

The Acting Speaker (Mr Villeneuve): Order. The honourable member for York Mills has the floor and is very legitimately participating in the debate. If any other members want to participate in this debate, let them resume their seats and they will have their turn. Interjections are out of order, particularly from members who are not in their seats. The honourable member for York Mills, please continue.

Mr Turnbull: Thank you, Mr Speaker.

Interjections.

Mr Turnbull: The heckling reflects the nervousness this government has over the fact that this province is losing jobs faster than the other provinces, and the reason for that is the bad decisions this government is making. That is 12,000 jobs a day. Our real gross domestic product is expected to shrink by 3.3%. Now any government in its right mind that would like to see its citizens prosper does not relish a reduction in its gross domestic product.

It is not all of its making, I have to say. There is a world recession on and frankly, yes, they took over the fiscal mess from the Liberals when they took office. We know that. Nevertheless, they are the government and they have a responsibility to ensure that the children of all the people of Ontario have a future. The way they are going about it, there is no future.

I am struck by the number of my personal friends who are talking about leaving this province. These are people who have brought jobs and prosperity to the province. I am

particularly perplexed at the hyperbole that comes from the governing party. It just simply does not understand what this government is doing to the economy, and it certainly does not recognize the strengths the Ontario economy had and the significant social directions in which the Conservative Party took this province in 42 years of good government. I think an awful lot of people are beginning to look back to those days with great relish.

I was knocking on some doors a couple of weeks ago, and there was a wiry little Scot who said he had been an NDP supporter all his life since he came over from Scotland, and he had been a socialist in Britain. He was blaming the Bob Rae government. I was quite curious. I thought we would get some harangue about the Mulroney government. It is nothing to do with me but I expected that, but he was blaming the Bob Rae socialist government in Ontario, and he said he will never vote NDP again.

Nevertheless, it is not too late for them. If they have aspirations to form the next government, then reform the government now in such a way that there are policies which are consistent with continuing the Ontario dominance in Canada in terms of the economic base.

We saw all kinds of promises in the last election broken. We saw promises that we would have a lessening of the tax burden on householders and that education would be borne more by the province, but that is not being done. We see the commercial concentration tax, a tax they spoke against, which the Liberals brought in; they have declined to do anything about this.

Mr Carr: And now they love the revenue.

Mr Turnbull: And now they love the revenue. Is that not true?

I guess every government is allowed to rethink its policies. We are simply saying that they should rethink their policies in a sensible way which is consistent with keeping our industrial base. Otherwise they will have nothing to govern. Do they want to put out a sign, "The last person out of Ontario, switch off the lights"?

We have further comments from the member for Oshawa: "We realize that governments alone cannot create sustainable prosperity. Instead, governments can and must create conditions where labour, business and members of the community can co-operate to create economic growth."

They will not create economic growth in a mood of panic, and there is among the business element a mood of panic today. This is something they urgently need to address. This is their responsibility. They can laugh at it if they wish, but the province is going down and it is going down very quickly. If they do not read the financial papers and do not understand the reality of the Ontario economy, I am sorry, but at least there are some members of the government who can read those papers and understand them, and they must know the reality.

They have to get some control of the fiscal affairs of this government. They should not spend our children's future. That is just deferred taxation. If they want the taxpayers of Ontario to have the benefits that they think they need, ask them and then tax the people. I do not advocate

any more taxes. I am saying we cannot afford any more taxes. But I am saying further than that, if they really need those services, then let's at least be honest, people from every party, and pay the taxes that are needed to support this province so we do not disappear into a sea of debt we will never recover from. I have doubts that at the federal level any party will ever be able to get rid of the debt. They should not repeat the mistake here.

Mr Mahoney: Do you want more taxes?

Mr Turnbull: I do not want more taxes. Basically we have to start cutting services. The best way to start is that we have to look at every single ministry and have sunset clauses so that we look at the program and see if it is delivering value at a period set out after every legislative move. We really believe they should have cut the broader public service sector's pay increases. Some senior civil servants are going to get an \$11,000 increase this year. We know the senior civil servants do not like what they are doing, but the government should not try to buy their allegiance. It has to rely on people in guaranteed jobs at a reasonable amount of money doing their jobs.

If we had kept the broader public service down to a 2% increase this year, we could have saved \$750 million. That is \$50 million more than this government's job initiative. They could have funded it out of that.

Simplistically, the government says: "Oh, no. You're taking it out on the backs of the workers." No, we are not taking it out on the backs of the workers. These are senior civil servants who are getting \$11,000 a year. How dare they spend the taxpayers' money in this irresponsible way? There is no need to borrow this amount of money if they would manage the economy properly, which they are not doing.

Eventually we are going to have to pay the bill and the only way we can pay the bill is by stopping spending now so that we do not further add to the bill. We need private sector jobs, not public sector jobs. We need to stimulate that and give confidence to the private sector, and they are not sending messages at the moment which give the private sector confidence.

Interjections.

Mr Turnbull: If they think it is funny that companies are leaving the province, they are dead wrong. They are 180 degrees in the wrong direction at this moment.

Hon Mr Wildman: We have all heard that phrase before.

Mr Turnbull: They will hear that phrase again too; 180 degrees in the wrong direction. They know it and they know they are dropping in the polls, but opinion polls should not be the reason that drives a government to good legislation. It should be the sense that says, "We want to protect the economy and the base which allows our citizens to earn a living," and I am not talking about adding more public service jobs; I am talking about private sector jobs which pay taxes and pay for their salaries.

1610

Mr O'Connor: The previous speaker in this House talked about the fact that our children are going to have to pay for this. Let's take a look at some of the children he does not talk about. Let's talk about the one in seven children

in this province who has to rely on social assistance for food. Let's talk about the 40% of the people who are dependent on social assistance in this province who are children.

Mr Mammoliti: He does not care about them.

Mr O'Connor: Does he not care about them? Maybe he does not care about those children, but those children really matter to us. He never talked about the one quarter of a million jobs that have been lost in this province since last spring as a direct result of the free trade deal. He does not talk about the costs that we as a government are going to spend, \$4.9 billion on social assistance to recognize people's needs. People are what governments are all about. We are here to recognize the needs of people, and by gosh we are going to do it.

He does not care about unemployment, about the people unemployed running at 10%. He does not care about them. The Canadian federal government does not care about them. They have cut the UI payments and they have cut the social transfer payments. We do not need that.

He has not mentioned the fact that corporate taxes are down because we are not making as much. They are down by \$1 billion. In fact, that is a lot of money that we could be using right now. We have not increased one corporate tax in that budget.

What we have to look at here are the needs of the children he has talked about. I do not think that the one in seven children who has to rely on social assistance for his next meal should be the one who has to pay that price because I do not think the people of Ontario think we should not feed the children of this province. Thank goodness we have a government that recognizes the needs of children and reacts in the right way.

Mr Ruprecht: The member for York Mills is talking about the debt load. As all members know, in this Legislature it lends itself to a certain amount of partisanship, but on the whole the fact that comes through loud and clear is that this government is either unwilling or unable to come to grips with the economy, which is in a downspin, and the question remains, what will this government do to stop investment from leaving the province and the daily job losses we have to sustain?

Partisanship aside, would all of us not and should all of us not be interested in ensuring that every Ontarian has a right to a job, has a right to an adequate lifestyle? I think essentially that is the question and it simply cannot be that this government is only looking after the interests of its own constituencies. That obviously cannot be the case, because we are being approached day after day by group after group that is unable to get access to this government. We can provide the names of those organizations and the government, the NDP, has come to this place saying it will consult widely with everyone.

My friends, the fact remains we all have a responsibility not only for consultation, but a reflection in the law being produced, of what is taking place in this Legislature, in the economy, and we simply say, "Let us move in the right direction and get the job done."

Mr Carr: I would like to add to the debate because I would like to make a couple of points in reply to the statement by my colleague.

To put in perspective what the cost will be to this province at the end of the mandate of this government, the interest alone on the debt will be \$1 million an hour, 24 hours a day, seven days a week, 365 days of the year; not to pay for programs for children, education, health care or the environment, just to pay the interest on the deficit alone.

I get to reply and two minutes is my reply time; \$30,000 will be spent in that two minutes, not to pay for health care, the environment, or for those children, just to pay the interest on the deficit alone.

One thing the people on the other side do not realize is our social programs do not depend on the compassion of government, they depend on a healthy and prosperous economy. This group does not understand, and when they destroy the economy as they are doing it is going to destroy the social programs that, ironically, they care so much about.

The mentality of this government: Anything that moves, they tax it, and if it still moves they regulate it. When it goes out of business they subsidize it. That is the socialist way. By the time four years are up we are going to be in sad shape because we are not going to have any money to pay for the social programs. We are just going to be paying the interest. In the two minutes I have stood up here we will spend \$30,000 just on interest and it is a crime.

Hon Mr Wildman: I listened with interest to the comments of my friend opposite and I want to point out that while everyone in this House recognizes that important social programs, particularly in a period of economic downturn like this, are dependent on the revenues that come to the government from ordinary citizens and the corporate sector. We all must recognize we did not increase any corporate or income taxes in the budget because we did not want to send the wrong message to industry.

One of the major problems, besides the downturn in revenues because of the economic situation, is that the federal government has decided to cut transfer payments and put a cap on transfer payments to this province which has significantly limited the revenue this government has to meet the needs of those people who require assistance.

To have a member of the Conservative Party in this House attack the government when his own government in Ottawa is one of the causes of the problem is an indication of how far they have gone in missing the boat in meeting the needs of the people of this province.

1620

Mr Turnbull: I am pleased we have managed to wake up the sleepyheads across the floor. They may have taken some notice.

I will start out by saying that the member for Durham East is totally, utterly without foundation when he makes his allegations about my concern for children. I have been out collecting with the Salvation Army for years and I am proud to say I was the vice-chair of the North York appeal

this year because I cared about people. I care about getting help to the people who most need it, not this socialist nonsense of help everybody, and then take away taxes and destroy the industrial base.

Further, regarding the nonsense about the free trade deal, unless we wake up in this country that we need free trade we are finished because every other major country in the world is going into a large trading block. If you want to look at what happened in Argentina when they closed the door, their standard of living dropped and eventually they had hyperinflation and they do not know if they will ever be able to solve it.

As I pointed out before, there is a positive balance of trade Ontario had with the United States last year because of the other sector. Additionally, I want to point out that the suggestion that those people earning over \$80,000 a year are not paying more taxes—are paying substantially more taxes. The government is managing to obscure the reality. The government can fool itself by pretty little speeches about the fact that we do not care. We do care, we care more than the government, obviously.

Mr Conway: I want to participate again in a debate I think is really important, given the fact we spent so much of May in an interesting diversion. This is one of those relatively few opportunities we will have before adjournment to talk about the general issues and the specific concerns I think all members have. I will try to be as brief as I possibly can, but I will probably take 10 or 15 minutes to cover four or five areas.

I was really interested by the previous speaker's observations. There is no question that he, like his colleagues, feels passionately about the budgetary policy to which this bill speaks because this is a borrowing bill and the government has outlined a plan to borrow, to deficit finance to the tune of \$34.8 billion over the next four years. It is their right and they have explained why they plan to do that. But it is interesting listening particularly to the members for York Mills and Oakville, two vigorous spokespeople for their party who feel very strongly about the fundamental inappropriateness of such deficit financing. I certainly respect their views.

I will say, however, something I have said before in this session. While a lot of right-wing Tories feel as my friend the member for York Mills feels passionately, I well remember those days, as my friend at the Hansard table will remember, when perhaps the most eloquent spokesman for the fiscal right wing of the Progressive Conservative Party in Ontario was sitting across the way as Treasurer when I first came here in 1975, W. Darcy McKough, a very competent fellow.

Mr Hope: In whose opinion?

Mr Conway: In my opinion. He was here for 15 years and anyone who ever had the benefit of engaging the former Treasurer and member for Chatham-Kent had to believe and respect that the honourable former Treasurer was a very powerful figure.

I mention this simply because when I came here in 1975 the Conservative government of the time, then some 32 years in office, offered a budgetary plan in the fiscal

year 1975 with, as I recall, an expenditure plan of about \$12 billion but with a \$2.2 billion deficit.

Mr Carr: Their taxes were much lower than your government, Sean, much lower. You taxed us to the limit.

Mr Conway: My friend the member for Oakville says that—undoubtedly, that is not my point. My point is simply that we were prepared to tolerate 15 or 16 years ago on a budgetary plan of \$12-billion worth of expenditure a \$2.2-billion deficit. I do not fault the then government for doing that, but I often think now, “Why weren’t there people marching in the streets?” because extrapolating a \$12-billion budgetary expenditure plan to, say, a \$45-billion or \$50-billion expenditure plan, one would correspondingly have a \$7-billion to \$8-billion deficit.

In fact, in 1983, in the midst of a very severe recession, another very vigorous right-winger, Frank S. Miller, Esquire, then Treasurer, confronted with what must have been a terrible situation, I think had a budgetary plan calling for expenditures in the neighbourhood of \$30 billion, and he was offering a \$3.3-billion deficit, which I understand.

That is not to say we have a licence, any one of us, to continue in good times and in bad the kind of deficit financing that apparently all governments have found good reason to engage in the last 20 years.

I simply mention that because the great benefit of 6 September is that in Ontario the three major and traditional parties have now, or will have had, experience in government. It is useful for opposition members to offer opinions and advice as to what they would do, but I think people watching this debate and reading the printed Hansard would expect to see some relationship to what we say in opposition, for example, to what we do in government. I simply make the point that when the Progressive Conservatives were in office, for very good reasons, they were prepared to run deficits unheard of at the time provincially.

I suspect, for example, that in 1975 the budgetary plan paid some attention to the political realities. It was an election year. It was an election in which it looked like the hegemony of Frost, Robarts and Davis might in fact come to an end. It did not come to an end but Davis, to his credit, was prepared to spend not a few dollars to take every precaution reasonable people might expect him to take.

Mr Carr: He cut taxes, that is why.

Mr Conway: The member for Oakville said he cut taxes. In fact, he probably did cut taxes. One of the things he did that was a pecuniary benefit to me was that he offered first-time home buyers a \$1,500 grant I qualified for. I was happy to get it. I did not need it particularly, but I got it. That I got it 16 years ago in an election year was particularly noteworthy.

I just say to the member for Oakville and the member for York Mills, though, they should be careful because the day will come when they or their party will be returned to the Treasury bench. There is no question about it. In fact, it may be next time. One of the things we would do well, all of us, having had the experience of being in opposition and

now coming to government, is being perhaps a little more disciplined in what we say.

I look back on some of the mistakes we made over five and a half years. The members opposite are correct, that we spent to the extent we did in good times is something that probably bears some reflection. There is no question about that. I also take some pride in the fact that for whatever reason, particularly buoyant times probably being the most obvious, I think it was in the fiscal year 1989 for the first time in 20 years the budget was in balance. I will be perfectly honest in saying the incredible growth of that year was more responsible for that possibility than anything else. There is absolutely no question we spent very handsomely, often with enormous pressure to spend even more by the members in the other two parties.

I wanted to participate in this debate this afternoon because, like my colleagues in the official opposition, I have been on the road recently with the caucus task force looking at the budget. I have been struck by what I have been hearing. I have not visited all the venues, but in recent days I have been in Smiths Falls, Kingston and Peterborough.

It has been very interesting. I have been hearing some very critical things about the Liberals in office. It has been a humbling experience to sit there and take it and, boy, did we have to take it the other day in Kingston. Some not very complimentary things were said about our stewardship. I thought some of the criticism was very correct and I did not have much by way of response.

But I want to report some other things, and I think this is supported by the various polling companies. Quite apart from the political preference question, it is really interesting to look at the detailed public opinion research about what people are thinking out there.

1630

Having been here now for almost 16 years, I will say that the deficit issue, as my friend the member for York Mills and I am sure my friend the member for Oakville South are going to point out shortly, is a real issue. Most interestingly, it is a particularly real issue for my generation, the so-called boomers. The boomers, apparently, have a very different attitude about public finance than their parents. When I think about my parents, of course, their formative years were the Depression years and the war years, in which government had no choice but to contemplate deficit financing the like of which we have never known in this country.

I am no expert on public finance, but if the members really want to look at deficit spending they should go back to the period of the 1930s or the war years, and people much more knowledgeable than I will point out that for every good reason we ran huge deficits relative to our taxing capacity and relative to the political culture of the time.

For example, it was in 1935 or 1936 that Norman Rogers, as the newly minted federal Minister of Labour, probably the only really knowledgeable Keynesian at the federal cabinet table, was trying to explain to people like Mackenzie King that the Depression was not going to go away and that there were going to have to be some dramatically different things contemplated. I am going to tell the members, old

Willy King, who thought he was an advanced reformer, was in fact a real fiscal conservative, and Norman Rogers lost more than he won.

When we get into the war years, we see again, for all kinds of reasons, deficits. If the members want to see deficits, I will take them through a long litany of deficits. We had provincial governments during the Depression that were in fact bankrupt. The provincial government of Saskatchewan was bankrupt because of the particular circumstances of the Prairie economy. I do not mean this as a criticism. The fact is that weather and international markets had ruined the lifeblood of the Saskatchewan Treasury. No politician is going to be able to escape those kinds of external forces.

My point, however, is that the deficit issue is a real issue, and it is a real issue because public attitudes are changing and they are particularly changing in the 25-50 age group. One of the interesting things about the American public opinion that is related is that the over-60 crowd is becoming quite liberal and the under-60, the 25-45 crowd, is becoming quite conservative—

Interjection: Even in Florida.

Mr Conway: Even in Florida, I would suggest, because of course if you are over 60 you understand something about your health care requirements, you understand something about those other social programs that are going to be an inevitable part of the aging process.

My friends the members opposite decry the GST, and I understand why; I think I have probably done some of that myself. The fact of the matter is that I cannot imagine—would anybody here accept the job of being Minister of Finance for Canada? I would not. Quite frankly—and I think it is one of Jacques Parizeau's arguments for separation, which I do not share—the situation in which the federal finance minister now finds himself is virtually impossible. There is no room to manoeuvre. People have absolutely had it with taxes, and I understand that. We had better all understand that.

My friend is here from Oakville and I do not know what his views on the subject are, but I know what his predecessor's views on spending tens of millions of additional dollars on perfectly worthwhile school projects in Oakville are. Maybe it was more north Oakville than south Oakville, but we all have as local politicians a mountain of pressure to spend more money.

I sat the other day in the very attractive boardroom of the Kingston and District Chamber of Commerce, and there on the wall was a beautiful colour photograph of the panorama that is Kingston. Was I getting lacerated about government spending. As I listened to this criticism, genuinely felt and beautifully offered, I kept looking at this wall picture. If ever there was a government town in Upper Canada, it is Kingston—beautiful universities, marvellous schools and colleges, an array of federal institutions that bespeak John A. Macdonald's lifetime of parliamentary representation for that wonderful community.

I say to myself and I said to the chamber: "I agree with you that taxes are too high and spending is perhaps too easy. Let us look to that wall and you tell me where in

Kingston you want the scalpel applied." That is the point where this discussion has now got to come.

I represent an electoral district that in significant measure is a wholly owned subsidiary of the consolidated revenue fund of the government of Canada. I am not complaining about that, but that is reality. The big employers in north Renfrew are Atomic Energy of Canada, Camp Petawawa and the National Forestry Institute. There alone we have about 5,000 or 6,000 of the best paying, most secure, relatively speaking, jobs anywhere in eastern Ontario outside of Ottawa and Kingston.

Have I got an interest in that federal Treasury? You want to believe it. Everywhere I go in my own constituency people say: "We've had it. You are too liberal in your spending. You are spending everywhere." They apparently believe "that gang in Ottawa" is even worse. So when I say, "All right, remember, though, you are asking Don Mazankowski or whomever—David Barrett, should he be the next Minister of Finance—he is sitting there with"—ah, my friend the member for Durham York was going on about a series of cutbacks. I know what he is talking about. But with all of the so-called cuts we continue to run annual federal deficits of \$30 billion.

You could say, "Well, tax the rich." The problem with taxing the rich is that they have more mobility than the taxman. I have no brief to carry for the rich, but I am simply looking at the public finances of the Dominion government and of the local governments in the provinces, and I am telling the government, we have a problem. We all have a problem.

I say the deficit is going to be a real issue in the 1990s in a way it was not in the 1970s or 1980s, and demographics apparently are going to drive that maybe more than anything else, although the cumulative effect of the kind of deficits we have been running will also be a factor.

I say to my friends everywhere, I think we have reached a point where we are really all going to have to change the way we do business. My friend and former parliamentary intern, Christopher Waddell, now national editor of the *Globe and Mail*, I gather was here the other night. I was not able to hear his lecture to the group, but I gather Chris had some interesting things to say about his perspective on changes in national politics. From what I heard of his address, I think he is on the right track.

One of the things I am hearing, and from the most interesting sources—my good NDP friends, my lifetime Tory relatives and my Liberal supporters—is that they will pay no more taxes; they have had it. They think governments do wonderful things. They appreciate all of the great services, but they have reached the absolute threshold of their tax tolerance.

That is a very serious message that we are all going to have to take account of.

I have been in government; I have been in the opposition. I say to my friend, as I say to my own constituents, who in many respects have a vital interest in government spending because if you work for the Department of National Defence or you work for Atomic Energy, you do relate very directly to the consolidated revenue fund. As I say, I am very proud to have those institutions in my community and I

will fight, as I have in the past, to protect those facilities in every reasonable regard. But deficits and taxes are going to be a significant issue for the 1990s and the kind of borrowing we have seen federally and certainly to some extent provincially over the last few years is going to become much more prominent in the public debate.

To me, the issue in the budgetary policy for this government this year is not the \$10-billion deficit. It is quite high. I do not think even Frank Miller or Darcy McKeeough or even the member for Brant-Haldimand could have offered a deficit at anything less than about \$7 billion without a lot of blood on the floor.

To me, the real issue in this plan is the out-year spending, the \$34.8 billion because that will effectively, in a four-year period, double the cumulative deficit of Ontario in the post-Confederation era.

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The issue here again is, as the federal government is finding, when you build the mountain of debt to a certain height, you lose all manoeuvrability and you are just left with the politics of cutbacks and very few options.

As I say, I appreciate the difficulties that my friends opposite are going to confront. My worry, quite frankly, is that if we are not careful in managing this issue—and I say this to Progressive Conservatives, middle-of-the-road Liberals, and good social democrats—we are going to invite and produce a Thatcherite counterreaction that is going to mow all of us down. I hope that does not happen. I do not believe it will happen if we do some of the things we are going to have to do. This is going to mean for all of us, I think, a fundamental change in the way we think about making policy, and in the way we deliver programs.

For example, it is quite clear that there is a strong reaction to the GST, and I accept all of that, but at a totally different level. This business of a whole bunch of governments having a whole bunch of different tax collectors running around is starting to be noticed by people. All they know is that they are paying all of the bills. They hate the GST, of course, but they are not particularly impressed with the government growing every day as policy has required it to grow in the business of tax collection.

Mr Bradley: They know this government is going to expand the tax base to be the same as the GST.

Mr Conway: I say to my friend from St Catharines, any government is going to have to expand the tax base. I do not expect anyone sitting over there—I do not expect an Ian Scott as Treasurer, I do not expect a Gary Carr as Treasurer, I do not expect a Dennis Drainville as Treasurer—to stand in his place in years to come and imagine not expanding the tax base. To imagine that is just not to regard any of the history of the fiscal policy and budgetary developments over the last 40 or 60 or 80 years. I think, quite frankly, one of the things we are going to have to start doing is stop insulting the intelligence of people by telling them that it is going to be so. They know taxes are going up. They are not happy.

It was interesting. I was at the barber this morning, and all my barber wants to talk about is tax on booze and tax on cigarettes. I argued the government's case; I think the

government's case is a good case. I spent an hour, and I have to tell the members of this House, I did not move my barber one centimetre, because for him, he just sees it as a clear and visible sign that they are piling more taxes on life's little pleasures. When you make the case, as Benoit Bouchard did last night about cancer, he just says, you know, "Get out of here."

This jurisdiction now has the most highly taxed cigarettes, and if it does not have the most highly taxed beer, it is close to setting that record as well. The public is very much, I think, like my barber. They are not connecting, in many cases, the costs of wonderful programs. How many people do the members opposite know and represent who really understand the costs of health care? Most people hear the numbers and their eyes glaze over. I understand why, but with the demographics I talked about earlier, were the aging population of this jurisdiction and country to double between the decades of between 1990 and 2010, or whatever it is, and with the knowledge that we consume the vast majority of our health services in the last months of our lives, the members opposite can figure it out. The health spending, if we do not make dramatic changes, is going to go right through the roof. I repeat, and it is going to be members—I am looking at some of the very youthful ones whose age group is saying: "We've got news for you. We're not paying, so you can do whatever you want, but this is it. This is where we draw the line."

I see some very significant pressures building that are going to have to be addressed. I saw the *Journal* the other night, and I must say I did not find it very elucidating, because it essentially spent most of the time in the hospital corridors. If you were watching that, I am not so sure you would come away and say, "I'm getting so much value for the billions I'm spending on health care."

In the presence of my friend from St Catharines I want to say something that also grows out of the debate in Smiths Falls and Kingston, and I will take some criticism as a former cabinet minister in a former government, but if people are fed up with deficits and taxes, they are starting to notice a few of the input costs. People are starting to notice what they are paying for garbage, and they are not very impressed. In fact, in Smiths Falls and Kingston we had the mayors detail what the increased costs have been in the last three years, and I repeat, for most of that we were responsible.

Talk about a ticking time bomb. In Smiths Falls we were told the municipal cost for garbage has tripled in something like the last two or three years. Kingston, I think, is now spending \$1 million a month on just shipping the stuff out, not even collecting it, and the growth is exponential; that is, the cost. That of course is showing up on tax bills. We had mayors pleading with us, saying, "Do you people at Queen's Park not understand that with the best of intentions, all you are doing is making Laidlaw fabulously wealthy and driving our local taxes through the roof?"

I understand it is not easy, and I expect my friend from St Catharines to kick me, but I heard some pretty telling criticism about our policies that in the main appear to be being carried forward by the Deputy Premier, the now

Minister of the Environment. If what I heard is to be credited, in a year or two the tax bills are going to have added to them garbage bills that are going to be outrageous in the minds of most of Ed Broadbent's ordinary Canadians.

On the garbage question, I realize it is not easy. But we as a Liberal government and they as a New Democratic government have been continuing with a policy that appears determined to make every consultant in the country fabulously wealthy. We debate and we debate and we consult, and it is all wonderful. But time is passing. The bills are mounting as we speak.

I think of that day 11 or 12 years ago when Harry Parrott stood up in this House and said: "We've got the answer to the toxic waste problem. The government owns a whole bunch of land in the Grand River basin near Cayuga and that, my friends, is going to be where we will locate what nobody will want." All hell broke loose. Harry Parrott, wonderful fellow, hardworking, well-intentioned, and poor Harry was driven back into a pathetic retreat, because any hydrogeologist worth his salt was able to come to the Legislature and say, "I can't think of a better way to contaminate the water supplies of Dunnville and Brantford," so Cayuga went out the window in an instant.

I think it was about 1979 or 1980 that the Davis government, I thought to its credit and with much acclaim, created the Ontario Waste Management Corp. I am not going to go through all of that, but a decade later we have spent over \$125 million and we have had some great debates and we have not turned a shovelful of sod in Bismarck, Lincoln county, or anywhere else to deal with a problem that was of urgent and pressing necessity 15 years ago.

My point is simply that 10 years later, \$125 million later, we do not even have a site started, though lots of good work has been done. If the city of Kingston, if the town of Smiths Falls, if the city of Sault Ste Marie, if the town of Haliburton is forced into a paradigm of that, we will have revolt, because people cannot and will not pay the bills that are consequent upon that kind of endless debate.

1650

Good debate, good input; I do not even mind some intervenor funding. It all has to happen. But to govern is to decide, and somebody somewhere soon has to start making some decisions. They are not going to be popular. People are going to fight to the death to avoid a landfill. I support entirely the new initiatives about reduction and all the rest of it, but we are kidding ourselves if we think this can continue over the lifetime of this government and certainly over the lifetime of most of us in this Legislature. The deficit issue, the tax question will just drive us to some decisions. I just hope they are the right ones.

My friend opposite says the government has embarked on new policies in energy, and there is no doubt about that. I do not really know the Minister of Energy, but she seems like a very decent, quite committed sort. Some of her energy policy I find scary, ill-founded, unwise and dangerous. There is no question in my mind that she means every word of it.

I represent, as I said earlier, a very large research community that has a vested and vital interest in the Ontario and Canadian nuclear option. They think the Minister of Energy is mad. They just cannot believe that anyone who is as apparently sincere and thoughtful can really mean what she seems to mean in the area of energy policy. If pursued to the full extent, her policy will eliminate one of the significant employers in my constituency, so we will have to fight her on that very vigorously. She may say and some of her colleagues may argue that I am being alarmist, but we have been reading her speeches very carefully, and boy, she not only means apparently a moratorium on nuclear for the moment, but if you were to listen to her and credit her, she seems to feel that the nuclear option has no place in the Ontario energy future. I disagree fundamentally, but that is the fun of politics. That is the essence of politics; different people, different perspectives.

My friends opposite are embarked upon a dramatically new policy for Ontario Hydro, and it has to be said briefly that the Elliot Lake announcement the other day makes this plain. I only say in this connection that I think government of whatever stripe in the 1990s is going to be confronted with no little bit of pressure around taxes, and I think taxes are going to start to mean garbage rates. I think they already mean it, but from everything I hear, garbage rates. I mean, I have got some people I am sure for whom the garbage rates are now higher than the actual real property rates on their home, separating out school taxes.

Hon Mr Wildman: Water rates.

Mr Conway: My friend the member for Algoma says something about water rates, and I think that is probably true as well, because we are all in favour of the environment, which means we want to have the best possible communal systems, with every bell and whistle to protect against those, for me, unpronounceable concepts the former Minister of the Environment, the member for St Catharines, was for ever bringing to question period. That simply means the old water plant that might have cost \$50 million will now cost, of course, \$250 million, and that will show up on the rates.

But given what I think is out there about taxes, I am absolutely astonished that the new government wants to put escalating Hydro rates into that mix. They are brave people. I commend their courage, if not their wisdom, because I repeat: In a very few years I think we are going to have people obsessed with the concern around taxes and they are going to start to note garbage rates, and now I think we have a policy in place that is going to show Hydro rates. I own a house and a cottage and I have been noticing, even without this—

Mr Hope: No advertising.

Mr Conway: No, but I have a cottage in which I have electric heat. I know all of the reasons, and I am just looking at the rates. Over the bad old Liberal days I am watching them go up. As the crown corporation now becomes a fundamentally reorganized instrument of government policy—

Mr Sutherland: I believe it's called accountability.

Mr Conway: My friend opposite says it is accountability, and believe me, when Howard Ferguson embarked upon his energy policy, he thought the same thing. This government is not in that sense any different, though it does have a different perspective. Howard Ferguson believed in running Hydro as a direct instrument of the Conservative government of Ontario. This government apparently has the same view, and it is entitled to that. I do not have a problem with their believing that. I do not believe it, but if this government wants to do it, it has won that right.

My point is simply this: As Hydro rates in the coming years begin to reflect, not power at cost, as we used to know it, but power taking into account not just economic costs but adjustment costs, social costs and other government priorities, all of which in themselves will be widely praised in Elliot Lake and in Haliburton and in West Zorra township, when Aunt Maude gets the bill and she sees rates that are 50%, 70%, 150% of what they were five and 10 years ago, this government will have gained her attention in a real and lasting way. But this government intends to do that, and who am I to say that it should not proceed.

Apparently, at the same time, this government wants to take charge of insurance rates, and again in a way I would not. I say to my friend the former Attorney General, "Can you imagine a day some years hence when our honourable friends opposite are thinking about perhaps going back to meet the people and they have not only government-regulated taxes to explain, but they have government-controlled Hydro rates to explain, they have garbage rates to explain and they have electricity rates to explain?" I cannot imagine—

Mr Scott: They'll want to get Howard Pawley on the phone.

Mr Conway: I was going to say, they might want to get Howard Pawley on the phone, and a more toxic combination of things I cannot imagine. From a purely partisan point of view, I hope this government gets at it, it gets into it so quickly and so deeply that there is no recovery.

My friend the member for St Catharines sent me a note and said, "You should remind them Wacky Bennett used to bury a lot of provincial debt in his crown corporations." The member is the kind of person who would know more about British Columbia's Social Credit than I would, but I am sure he is right.

At any rate, I just want to say to my friends opposite, as we contemplate a multibillion-dollar borrowing initiative, that this touches very directly on the new politics. I would disagree with my friends in the Conservative Party. It will not make a tinker's damn of difference who is over there. We are all going to be confronted with the reality that this government is not going to be able to tax much more, that the big-ticket items that drive government spending, health, welfare and education, roughly 67% of all government spending—think about the demographics of the boomers and apparently their changing attitudes about what they will pay for and the demographics of an aging population and what that will mean in terms of the consumption of the really expensive, highly desirable and

absolutely, fundamentally valuable health and social services, and I think it has got the makings of a really interesting conundrum. We will have to find our way out of that.

There are two other things I want to quickly mention, and one has to do with energy as well.

I thought it interesting earlier today that the member for Nipissing, the leader of the third party, raised the point about government spending, and he raised I think about 15 or 18 WCB letters to one company in Burlington.

I went to my office yesterday and I picked up something called "Energy Matters, Let's Use It Wisely." I do not know whether this government's members have seen it, but they should read it.

I want to say to my friend the member for Algoma, because he will appreciate this, if the member for Nipissing—and God forbid that the member for Parry Sound should see this. If they are offended by those letters, well, I was going to say they might have a meltdown over this, but they would not, because what did this remind me of? This reminded me of Hughie Segal and Billy Davis. I thought there was a new gang over there, but look at this.

First of all, I am sure the parliamentary assistant to the Treasurer and Minister of Economics will want to investigate the cost of this, to say nothing of the environmental inappropriateness of this. It begs a question.

We probably did some of this, but I have not seen one quite this glossy in quite a while. On the front page there is a quite warm picture of the minister. That is fine.

1700

Mr Scott: Which minister?

Mr Conway: It is the Minister of Energy, but some of the members are in the printing business. I think the member for York Mills had some affiliation with the printing. This is high-octane gloss. I would like to know, I do not really want to know because I—

Interjection.

Mr Conway: But this is Bill Davis circa 1974 at his most extravagant worse. It is a good question.

Hon Mr Wildman: Why is it in blue?

Mr Conway: That is another good question. But it gets better. We have about 15 separate pages and the breathtaking part about this is the glossiness. There is virtually nothing new in this. I know there is new energy policy in a big way. The new NDP Hydro is a different Hydro from the one I have known in my lifetime. I commend them for the marked difference in that policy direction.

I am not saying this government is continuing with certain energy policies as usual. In fact, one of the tasks I intend to pursue over the break is to try to make people aware of just how dramatic a change the present government has planned for Ontario Hydro. It may be a change that will be widely applauded and generally accepted, but I have been reading those power corporation amendments and looking at and reviewing that Elliot Lake position and this is as significant a change in public policy as I have seen in my 16 years. I think the public will be interested in that. We should be talking about that and I certainly will be talking about it over the coming months.

I will not embarrass my friends opposite by reading it, but this is high-gloss, high-cost pap with virtually nothing new in it, though there are some variations on a theme. They should not let the leader of the third party see this because the tax fighter and a lot of taxpayers will see this. I know it is not a big-ticket item, but the people will understand this and they are not going to be very happy.

Which consulting firm got the contract? Somebody made a bundle preparing this. The government has spent a small fortune printing and circulating this. I am not going to bother with an Orders and Notices question in that respect, but I think it is a sign that—

Mr Scott: He'll bring it up on Monday. He'll ask about it.

Mr Conway: No, I expect my friend the member for Algoma will go back to Treasury Board or cabinet and say, "What was Conway going on about?" Some good person from the Ministry of Energy is going to say: "Minister, this is not what that carping oppositionist would have you believe. You must understand." Of course the Minister of Natural Resources will understand because he used to ask these questions. He will take a look at it and say: "Brother or sister in the movement, I want you to know you can't do this any more. We're different and in downtown Blind River they wouldn't be impressed."

The final point has to do with a serious matter, in my own constituency, that I raised in question period today and I am really pleased that my friend the minister with the several responsibilities I talked about earlier today is here. I know members opposite are going to be interested and that my friend from Haliburton is vitally interested, as are the member for Bracebridge, the member for Parry Sound and the member for Nipissing. Five or six of us have electoral districts that are immediately contiguous to Algonquin Park.

This afternoon I want to talk briefly about the Algonquin Park question. Let me say at the outset that unlike some, I view the Algonquin land claim as a serious matter. I do not see it as frivolous. I do not share some of the views articulated earlier today that it is somehow not as serious as some of the suggestions seem to make one believe.

I am careful to say what I say in the presence of the former minister responsible for natives affairs because the learned member for St George-St David is quite expert on the legal dimensions of this, if not the local politics. What do we have? We have negotiations under way, and for the moment I am not interested in talking about negotiations around the interim agreements. But I represent Renfrew North, which is two thirds of the county of Renfrew. The other part of it is ably represented by my friend the member for Smiths Falls, Montague township, and I also represent a portion of south Nipissing, not well known, but that is why I am classified as a northern member and get an extra cent on my mileage allowance.

At any rate, I have been watching this over the last number of years and it is a very sensitive and delicate question. To be perfectly honest, I spend most of my time now talking to constituents who are having a lot of difficulty with this government's rather expansive interpretation

and application of the Sparrow decision. I am sure the member for Haliburton has had some of those experiences as well. I will continue to explain and defend Sparrow, and I will continue to explain and defend the very significant legitimate interests of the first nations community at Golden Lake, which sits in the very heart of the electoral district I represent.

We have a situation now that is extremely delicate in this respect. Before I go on, let me say I have known the honourable minister for 16 years. We came together as freshly scrubbed innocents in the intake of 1975. I know him to be a very diligent, compassionate and extremely hardworking individual.

Mr Mancini: He's far from perfect, though.

Mr Conway: I will say something that will probably anger him. I have said it elsewhere and I will repeat it today. There has been a lot of discussion around this place about conflict of interest, and in the main I have tried to stay out of it because I have difficulty with it. It is something we will talk about another day.

In my respectful view, by virtue of his Premier, good fellow that he is, the member for Algoma has been put in a conflict of interest that is basic and fundamental that no one, not even Solomon himself, could resolve. I say it on the basis of my experience in government. To be Minister of Natural Resources and Minister responsible for native affairs at one and the same time is in my view impossible. I am sure the member for Algoma will do a very good job in trying, but I could not do it and I would not even try. I am not so sure the Algonquin case is not the case that is going to make the point about this conflict. I can see situations where potentially the minister would be in court arguing both sides of this case.

I know people are going to disagree, and the Premier would not have accepted this criticism because I am sure it was put to him as he formed his executive council. I repeat, to be the minister responsible for the management of our timber resources, our crown lands, fish and game policy and parks, all of which are really interesting responsibilities, and at the same time to be responsible for native affairs, given the substance of the land claim at issue in my part of eastern Ontario, with all due respect, I think is impossible because there is a fundamental conflict there. The member opposite will probably disagree with that.

Let me move on to the next question. I was away on the budget tour last week. He made a statement on 13 June, I think, in connection with the really serious startup by the new government to settle the land claim. I give him full credit for this. I think in some respects he has really picked up where the member to my left, the former Attorney General, was proceeding, in the main. I am not familiar with all of the particulars.

As I understand it, we have a situation where negotiations began quite spectacularly and ceremonially last Saturday at Golden Lake, and the coverage was excellent, I thought. As far as I know, the people at the table are Mark Krasnick, on behalf of the office of native affairs, and a wonderful and competent public servant he is; Howard Goldblatt, representing the law firm of Sack, Goldblatt and

Mitchell, who are acting as lawyers in support of the government in the land claim question; and the band. Those are essentially the three parties central to the discussions.

1710

Hon Mr Wildman: But MNR and Tourism are also there.

Mr Conway: MNR and Tourism, according to the minister, are lined up in support of the government. I have been up this week because I was home last weekend. I was talking to some of my friends in the Ministry of Natural Resources, good people, who want to see a resolution of this. I have never seen the nervous concern at such an olympian height. I came away from a long meeting last week almost not knowing where to turn. This is very delicate and it is not going to be easy.

We have had some experience in this jurisdiction. We went through the battles of Temagami and earlier efforts around a fishing agreement, and we did not get it all right by any stretch of the imagination. I remember, and I made reference to it earlier today, you had to have been here in 1983 to see Alan Pope twist in the wind in a way I would not have thought possible and being publicly attacked by some of his ministerial colleagues. My worry is that we have the potential now for a very small group of people to negotiate an important issue, but my friend from Haliburton, my friend from Bracebridge and indeed all of us will have to sell whatever is negotiated.

The Premier said to me today, "Well, do you want to be briefed; do you want to be at the negotiations?" It is not my place to be at the negotiations. We have a duly elected government that has that responsibility and it has good people doing this. I am not worried about that, but I am worried about what is on the table. I do not expect to be told in advance, because I am no fool when it comes to negotiations, all that is on the table. I think it was Richard Crossman who said that a modern parliament has three privileges because it has been neutered of its great old authority. It has the privilege to encourage, the privilege to be consulted and the privilege to warn. I am really here to warn in this one respect.

I hope there is a good settlement and one that is fair and just at last to the Algonquin First Nations, who have been part of my life since the beginning. I know these people well and I meet regularly with the chief. It goes back a long way in my family. There is no question they have been shabbily treated. They are owed a justice, without any doubt.

What I see really causes me concern because good as the people from Sack, Goldblatt and Mitchell are, I do not think they have a great deal of expertise in native affairs. And Mark Krasnick is a wonderful fellow and enormously competent, but his focus is native affairs and he is very good at it; and the band, of course, good people, supported by excellent people.

I suspect that at the core of those negotiations there will be quite a shared view around a number of things. I hope there is to a certain extent. I am thinking about all of those other people out there, because I expect that this government, or any government, is going to want to negotiate a

reasonable and just deal for those first nations peoples at Golden Lake. That is my assumption. I think it is the fair and just thing to do for any self-respecting politician.

I also assume that whatever is negotiated is going to mean significant change in the way we have done business in and around Algonquin Park. I might be wrong, but I was reading the papers today, the Ottawa Valley Weekly Press and the Ottawa Citizen, and everything I hear from Howard Goldblatt and from the chief and his representatives makes me believe that whatever is negotiated is going to be noticeably different from what we have known, in way the Algonquin First Nations relate to the public domain that have been the crown lands of eastern Ontario, including Algonquin Park.

On the basis of those assumptions, what is my warning and what is my fear? In some cases it is the worst nightmare of Meech Lake and the valiant efforts Alan Pope made years ago, some of my worst nightmares as the Minister of Education dealing with the highly sensitive question of minority language entitlements guaranteed by the Canadian Constitution in the school system of Ontario.

When I sat down with the francophones, their representatives and the ministry lawyers, we could often come to a pretty quick and easy understanding of what the charter entitlement meant. Where my nightmare began was thinking about going to Sault Ste Marie and Thunder Bay and explaining why the charter required the following difference. I know my friend from Sault Ste Marie and my friends from Thunder Bay in the last decade went through no little bit of turmoil in some of the language-related issues that in part grew out of those education questions.

I think particularly of the remarkable heroism I saw in the former member for Sault Ste Marie, who took one enormous load of abuse around this question and that could not have been easy. But what was relatively easy was the in-house negotiation about, "This is what the charter has done." We all agreed to it. Nobody could be opposed to it. "This is what it will mean and this is what it's going to mean everywhere in the Dominion," and off we went. All of a sudden we found town halls that could not contain the crowd that wanted to come and passionately debate, if not fight to the last drop, the actual implementation of a charter entitlement.

In conclusion, my concern is simply this. I expect the negotiations to be successful and I expect that whatever is negotiated will mean significant change for the way we have done business in various aspects of crown land management in and around Algonquin Park. But all I know is that I represent some 70,000 people whose entire livelihood is going to be affected by those negotiations. Communities like Barrys Bay and Whitney and Stonecliffe and Pembroke and Eganville and Haliburton and Bracebridge and Bancroft and Maynooth, as the minister well knows, have vital, economic and recreational issues, interests and values at stake in these negotiations.

My nightmare is simply that Howard Goldblatt, the chief, and Mark Krasnick are going to get a deal. The cabinet is going to want to affirm that deal, and the member for Victoria-Haliburton and the member for Hastings-Peterborough and the member for Renfrew North and the

member for Muskoka-Georgian Bay are going to have to go out on the road and sell something to people that is going to perhaps come as a gargantuan surprise and a reminder that all of those bad old possibilities in the Meech Lake process have not died.

My worry and my warning is that, in fairness to the Algonquin first nation community, which community we all want to serve, we owe it to those people and all of their friends and neighbours, whether they live in Killaloe or Bracebridge or Bancroft or Haliburton, in the most appropriate and open and constructive way possible—and that will not be easy—to involve those people in what is being offered and being discussed. Most of my last weekend was going around telling people that all they had heard as to what was on the table was probably not true.

Further to that horrible school mess in which we found ourselves five and six years ago, an announcement was made in June 1984 that was wide and open. Thirteen months elapsed before we got around to an actual bill, which a lot of people did not like but they could at least see for what it was and what it was not. But 13 months had allowed to build an enormous steam that blew the lid off one government and almost blew the lid off ours. I will tell members, I do not want to see anybody, if I can possibly avoid it, in that terrible situation.

The issues, not just of justice but of social peace, are important in this, and we owe it to everyone to do this right. My concern with what I heard today was that there perhaps are some people in the government who think they can dispatch Howard Goldblatt around to a number of communities to, quietly and by invitation only, explain to a few people what, sort of, is being discussed.

1720

I understand the reason for doing that, but I want to make plain that in the end, the people who are going to have to sell this and make this work are going to be the elected members of this Legislature, including my friend the member for Victoria-Haliburton, my friend the member for Hastings-Peterborough, myself, the member for Lanark-Renfrew, particularly the six or seven of us who are immediately adjoining Algonquin Park.

This is an issue of great importance, not just provincially but nationally. It requires justice, sensitivity, but most of all, great care. That is the warning that this afternoon, particularly in the interest of justice to the Algonquin first nation, I want to respectfully offer my good friend from Blind River.

Mr Ruprecht: The member for Renfrew North has spoken eloquently on this subject and indicated to us that the Liberal task force had gone from city to city across Ontario and everywhere it went the task force received the same message. That message was simple: tax nausea, tax sickness.

These people did not only want to come and tell the government of the day what they think about the budget, but they even came to the very steps of the Legislature to demonstrate. The people who came to demonstrate are not the normal crowd of people. They were not little old ladies

in tennis shoes. They were not truckers in cowboy boots. No; they were white-collar people trying to stop bankruptcies.

That simply means that the bankruptcy rate we see in this province today has never been steeper and never been higher and never been sharper before. I would only hope that it will not be this government that will be held accountable four years from now for the increase in bankruptcies.

What the government is doing is changing the very fundamental issues of the economy. That, to us, indicates a bad foreboding. The government is treating this economy like an incredible bread machine that does not have to be oiled and runs without ingredients. If that is the government's idea of how an economy runs, it will be sorely mistaken when the people of Ontario in four years cast their ballots and hold Judgement Day on this government.

Hon Mr Wildman: I listened with care to my friend the member for Renfrew North and I must say that I found his comments, as usual, to be thought-provoking, careful and eloquent, and I want to respond to a number of things he said.

First, I will not respond to the comments he made about the deficit except to say, very briefly, that his view of the temper of the times is quite accurate. It is going to be a problem for whoever is in power, as he indicated. But I want to deal particularly with what my friend had to say with regard to the negotiations with the Algonquin first nation from Golden Lake.

I am sure the member recognizes that in terms of the negotiations themselves it is clear from the point of view of the first nation that this government was elected to represent the people of the province, and all of the interests therein, whether they be naturalists who care about parks, the environment, people involved in the tourist industry who have a direct relationship to Algonquin Park, anglers and hunters, municipal leaders, members of the general public. It is our responsibility to inform them, to understand what their views and concerns are and to represent them at the negotiating table, just as the chief and council of the Algonquins of Golden Lake are elected by their people to represent their concerns in the negotiations.

I want to say also that I take very sincerely his concerns with regard to the negotiations as they relate to the issues that are before us.

Mr Jordan: I just wanted for a couple of minutes to compliment my colleague the member for Renfrew North for bringing this serious matter before the House, because I realize the seriousness of the consequences of what is taking place in these negotiations. I realize the adjustments that are going to have to be made in my riding in the tourist industry and with the people generally. Someone like my colleague is well qualified to put forward the concerns, not only of his riding, but as he said, of the people generally of the area but really the people of Ontario and Canada, regarding the solution to this.

Earlier I thought that he was too busy worrying about the closing of the registry office in Almonte, but we have that well under control, and I am glad he has spent as much time as he has on the real concern of Renfrew North.

I am sure the minister, if not aware before, is more aware of the changes at the present time, and the unrest in Lanark-Renfrew right now is that minority groups are controlling the province. This is their concern in language, in education, and the different major expenditures of the government.

Hon Mr Wildman: You are lowering the tenor of the debate.

Mr Jordan: I do not mean to do that, but I just want to express to the minister that the feeling of the people out there is not good.

Mr Conway: I want to thank my colleagues for their observations, and I take the honourable member for Lanark-Renfrew's mild rebuke about my, perhaps, too great an interest in the north Lanark registry office. It is good to hear him being territorial because that is a very good way to be. He reminds me of a young Bud Wildman, who used to be similarly territorial when anybody intruded on his territory 15 years ago.

I want to just, in summary, make the point again on the Algonquin question. My concern is simply this: Whatever is negotiated, and I repeat, I hope it is a good and successful negotiation, in the end there will be impacts, undoubtedly, on the entire non-native community, and those people are very interested in what is going on. They want to see justice for their friends and neighbours at Golden Lake, and they expect we are going to find a just solution. But they will also expect that as people negotiate on behalf of the government, their—meaning the non-native—interest in the park, and all of the recreational and economic interests that are going to be central to that negotiating table, are going to be understood, spoken to, and respected.

If we do not do that, if the circle is too tightly drawn, we will get, perhaps, an agreement among the parties now at the table that, God forbid, would be absolutely unacceptable to the local community, which wants justice, but will expect not only justice for the Golden Lake band, long denied, but a true and legitimate negotiation that is going to pay heed to and have an interest in their very significant interests, whether it is in timber management, recreational values, or community impact.

1730

The Acting Speaker (Mrs Haslam): Thank you. Would you take your seat for a minute, please.

I would like to just remind members that this is third reading of the bill, that in principle it has been passed, and that brevity should be adhered to when we are looking at third reading of a bill. It is just a reminder.

Mr Conway: If I could just speak to that point of order, Madam Speaker—

The Acting Speaker: No, it is not a point of order.

Mr Conway: It is a point of order, Madam Speaker.

The Acting Speaker: Would the member take his seat, please. I have not made a point of order. I was just reminding members this is third reading, in the interest of brevity.

Mr Conway: On that point of order, because that is a reminder that deals with orders of this place, and I just

want to make a point. We are dealing today with a loan bill that will rightly empower the government to borrow billions of dollars and I think it is a matter of considerable and comprehensive interest.

As the government House leader rolls her eyes, I would say finally that all we are doing in the opposition today is what her illustrious colleagues and perhaps she herself did when I was government House leader. I made those points and they were arrogantly dismissed by the NDP which rightly wanted to talk on third reading about matters of this kind.

Mr Scott: Madam Speaker, I am very conscious of the reminder that, contrary to the practice of the House, you were good enough to provide. I hope it will not add unduly to the length of the remarks I intend to make.

I recognize this is an important loan bill, but the shape the debate has taken this afternoon as a result of the intervention of the member for Renfrew North who wants to discuss the problems of Renfrew and the surrounding community in light of the Algonquin negotiations and the Algonquin land claim. Because of the presence of the honourable minister responsible for native affairs and Minister of Natural Resources in the House, for which we are grateful, this is an opportunity not to be put off simply to convenience the Lieutenant Governor—although I would love to do that generally—to have a short but important debate about native affairs which is all too rare an event in this House for reasons we understand, the priority of other pressing business, and so on.

The minister has important responsibilities in native affairs, which I had for some six years, and it is hard to imagine a minister who could be better qualified by instinct, training, background and by spirit, if I may say, to effectively discharge those important obligations. I want to say a word about them in light of what my colleague, the honourable member for Renfrew North, has said about potential conflict of interest because the minister responsible for native affairs is also the Minister of Natural Resources.

That allegation has been heard in the House before. I think it was made initially in the last parliament, perhaps by the member for Algoma—am I not right?—when it was asserted that because I was both minister responsible for native affairs and Attorney General, and therefore charged in the latter capacity with settling litigation the Algonquins or others might bring, I confronted a conflict of interest. It was a serious point which I think the honourable member for Algoma, certainly a member of his caucus, raised. I take it seriously and no less seriously because it is advanced afresh and vigorously by the member for Renfrew North.

At the end of the day, it is a difficulty that ministers by and large, with the assistance of their other colleagues, are able to overcome. It does not, however, avoid a perceptual problem in the general public, which is a very real one and will affect this minister more than it did me.

I am very conscious of the patient and moderate way the member for Renfrew North has put his point. He is committed to the negotiations. He recognizes their importance in the scheme of things both for the Algonquin people,

other native organizations that may indirectly benefit from the negotiating experience, and in the interest, clearly, of all the people of the province. He has accurately described, as I understand it, the situation that will be found at the bargaining table, in which place the minister, his deputy or a group of deputies perhaps, will represent all the people of Ontario. In the course of that bargaining, of course, they represent all the people of Ontario which includes in a real sense the aboriginal people of Ontario who are entitled to have their own counsel and to present their own governmental case to the government of Ontario, but for whom the government of Ontario has a real responsibility in the sense of fair dealing. I am sure the present minister will make every obligation, as I hope the past one did, to discharge that.

It is useful to learn from experience, and the member for Renfrew North in describing his concerns and advancing his warning, made a collateral reference to the fishing negotiations in the northwest that I think is worth emphasizing. He described, with no glee at all, a picture of the former member in this House, Alan Pope, who as Minister of Natural Resources had negotiated on behalf of a previous government a fishing agreement in the northwest and who was left swinging in the wind as his colleagues, observing the dimension of the agreement, one by one or in groups of twos or threes promptly abandoned him.

When we came to office in 1986, the pressure to negotiate a fishing agreement was of course even greater than it had been in the early 1980s, and we looked at the experience of the previous government. The previous government was well-intentioned, I believe, and the minister of the day was committed to making a breakthrough in an extraordinarily difficult area, no less difficult than the area the minister contemplates negotiating now. More complex in some ways, but less complex than in other ways, but it would have been a breakthrough.

We analysed what the previous Conservative government had done and we drew the conclusion, rightly or wrongly, that the difficulty the previous Conservative government had got into in the course of those negotiations was that they had tried to negotiate the agreement behind closed doors and produce an agreement acceptable to the Indian governmental organizations and to the government of Ontario, and then to present it to cabinet, the Legislature and the people for approval.

That failed. While there was no alarm in the public mind during the negotiation process because none of it was public, the stakes were not clearly identified, nor the concerns publicly identified. As soon as the terms of the agreement became public, ministers of that Conservative government began to abandon ship. One of the first to leave the ship was a member for an adjacent constituency, whose initials were LB and for whom detail is not here necessary.

That effort failed, and it was our view when we came to government in 1985 that it failed because the negotiations had taken place behind closed doors. I draw that to this government's attention because we, in 1985 and I hope throughout to 1990, believed in open government,

open negotiations, widespread consultation with a variety of people.

We decided we would open a new kind of process—

Hon Mr Wildman: You kept the document secret.

Mr Scott: The minister is laughing, but he has not heard all the laughs yet.

We decided we would conduct an open process in which the proposals on both sides of the table would be publicly advanced, so that citizens could look at what native people sought and at what the government of all the people was prepared to make by way of response, so we could go out and native governmental organizations could go out to the communities and say, "Here is what they are asking, here is what we are proposing, here is where the deal is coming down to." So at the end of the day, as I said to my bureaucratic staff, when the agreement is achieved there will be no surprises. Everybody in all the communities who are interested—and were they interested—will be able to follow it day by day in the weekly press.

1740

We started that process, we committed ourselves to it. We sent Ministry of Natural Resources people hither and yon all through the northwest to explain its simplicity, its beauty, its charismatic characteristics that would permit everybody to be heard, to understand and to approve as we moved step by step to the fishing negotiations. And we would thus achieve an agreement. It might indeed have looked rather like the previous Conservative agreement, but it would contain no surprises and achieve the very kind of public approval which is so important and to which the member for Renfrew North referred.

That process, I regret to say, though extremely well-intentioned, did not work. What happened? The first document that came out was the proposal the aboriginal organizations made. It was a startup proposal. I had been through bargaining when Howard Goldblatt was in short pants—or whatever they wore in the early 1960s—and I knew the first proposal on the table was not very often the form the agreement ultimately took.

As an experienced minister, and my bureaucrats were the same, we were not intimidated by the initial proposal the aboriginal people made essentially for the first time in a public way. I do not have to tell the minister, because he was living around there then, but I should tell my other colleagues that when that proposal landed on the streets of these towns in the northwest, you would have thought Magna Carta and a whole lot else was seriously at stake.

The problem with that exercise is that the public did not always understand the nature of the negotiation process. They did not understand perfectly that the government would not respond positively to every one of the submissions. I remember it was shortly before, dare I say, the election of 1987 when public meetings were held in the northwest. More people attended the public meeting at Red Lake than live in the town. So great was the excitement and the real deep-felt anxiety the people had about these aboriginal negotiations.

We had to put that effort on hold—a hold the minister has not yet removed but perhaps shortly will—not because

the proposal was misunderstood by the public, because that could have been corrected. We did that because a more fundamental defect in the process developed and appeared. The defect was that people in the northwest recognized aboriginal people would be at the bargaining table with their lawyers and their representatives. They saw that the government of Ontario would be at the table, with our lawyers and our representatives, and the government at the table was going to be represented by whom? The minister responsible for native affairs. They did not see that anybody else was going to be at the table. The tourists, fishermen, hunting people and the people of those communities and the municipalities said, "Who is going to represent us in that bargaining?"

I tried, as the Minister of Natural Resources is no doubt trying to say, as he said in the two minutes allocated, "I represent everybody." The difficulty is, at the end of the day, it will not wash. The irony is, and I know the minister will confirm this—it is hard to remember now—but in 1985, there had never been a government in a long time like we had when the Liberals came to office. I do not ask the back bench to go crazy with anxiety, that is not to say we were perfect or we will ever be there again, but 1985 represented a fundamental change in governance in Ontario and it is hard to recognize how far we have come.

The interesting thing was that in 1985, 1986 and 1987, the government of Ontario was recognized as the most progressive government in Canada, with the possible exception of the NDP government in Manitoba, with respect to aboriginal affairs. I do not say that boastfully, I say that simply to describe what happened.

The tourist operators, the communities in the northwest at all those meetings looked at us and said: "You're going to represent the aboriginal people. We understand it when you bargain with their governments, but who is going to represent us?" When I said, "I will, the government of Ontario will," they said, "We know you're going to try, but as you're already the minister for native affairs representing the native people, we're not entirely sure that you're going to represent us the way we would want to be represented."

That is a conflict of interest that may not be technically real, but it is a perceptual difficulty that got Alan Pope into impossible trouble and frankly got the previous government into very grave difficulty in trying to negotiate the fishing agreement. The problem was that it was insoluble at the time. We set up, as the minister knows, a committee of non-aboriginal users, under a very distinguished lawyer from Dryden, to give us advice about how that conceptual sense of non-representation by non-aboriginal users could be cured.

Should these people be at the table with the government and the aboriginal people? If they are not at the table, and that presents some real problems, how should they be briefed on developments? If you brief them fully on developments, what other obligations do you have to other citizens' groups and what other obligations do you have to legislative and other groups that are interested in the process? The Dryden group, as I call it, produced an extremely interesting paper with a lot of imaginative

suggestions. Not all of them will appeal to every ministry, and I frankly say that not all of them appeal to me.

Hon Mr Wildman: Where is it?

Mr Scott: It is right in there, and I suggest to the minister that he runs a risk. I hope it is not a great risk, but he runs a risk that in the northeast the conceptual conflict, "Who is going to represent the people who live here? Bud Wildman is already representing the native people," will develop.

The tougher the negotiations get, and they will be very tough and very hard in the best sense, the more real that conceptual difficulty is going to be and the more that conceptual difficulty is going to get in the way, not of making a settlement at the table, but of making it possible to persuade people all across the province, and particularly in the area, that the settlement is the right one.

I am as committed as the minister is, and I think he knows this, at his initiative and the initiative of the government to negotiate effectively, directly and at whatever dispatch can be achieved, to bring to a head these enormous not only land claim issues, but also self-government issues. The problem is that the fishing negotiations under two governments have indicated we lack a mechanism to provide public assurance that the results we are getting are either understood or appropriate.

The problem that I am concerned about with the Algonquin negotiations is, it seems to me, that it does not include that mechanism. I think that it would be a tragedy, and I know the minister thinks this, if what happened to me in the northwest happened to him in the northeast.

I add only one warning to what the member for Renfrew North has said, and it is that, if that occurs, the process to which the minister is so committed will be fundamentally set back. He does not want that, I do not want that, I do not think anybody in the House wants it. I do not think it is in the interests of the public.

I would encourage the minister to move as directly as he can to develop some kind of mechanism. There are a number of models—none of them is perfect, each of them has advantages and disadvantages—that will provide an assurance to the non-aboriginal users, particularly in the adjacent municipalities, that their concerns are not only represented in a general way by ministers of the crown, but are in concrete form taken account of by either participation at the table, which I do not directly recommend, or participation at a kind of second tier of negotiations at least, so that these communities and these groups will know from day to day what is going on.

1750

At the end of the day, I think the best assurance that people do not get alarmed and overreact is to be certain that they get knowledge at the appropriate times and in the appropriate way and from the appropriate authority as to what is actually happening and get a level of participation that meets their own community needs.

I congratulate the minister on his initiative, as I support the third reading of this important money bill, and I hope he will be able to give us the assurance that some mechanism to

ake account of the concerns that have been raised by my colleague and others today is addressed.

Without such a mechanism, the task may succeed. He may get away without the mechanism. But if it does not succeed, it will cause serious difficulties not only with respect to this claim, which will then be driven to the courts, but to many other claims in other parts of the province, which I know the minister is anxious during his term to address as effectively as he can.

We wish him well. Those who have had experience that is now his are very concerned, and we hope that he will have an opportunity in the next few months to address this important aspect of the work he has undertaken.

Hon Mr Wildman: In the interests of time, I will be as quick as I can and will hope for another time as I did the last time.

I want to address one particular matter, and that is the question of conflict of interest. The former minister who has just spoken will recognize that while I am the minister responsible for native affairs and must represent the needs and concerns and aspirations of the native people, I am also the Minister of Natural Resources, the minister responsible for the timber, for the wildlife, for the wilderness, for the wetlands, for the users of those resources. I must represent them too. That is not a conflict of interest in my view at all.

Even if there were two separate ministers, two different ministers, they would have to come together at some point to resolve these issues, because these issues with regard to land and claims mean that the Ministry of Natural Resources is central to any kind of a settlement. Those two separate ministers, if they were indeed separate, would have to come together in the final settlement.

I want to also say in these particular negotiations that were referred to by the two previous speakers, I do not anticipate that they will be swift. They are long, they will be complex, and I think even an optimist would believe we would have them settled within two years.

I think it is important for us to take into account the concerns raised by the two previous members and the spirit in which they raised them. It is incumbent upon us to inform and to be informed about the needs and concerns of the non-native resource users, in this case those who use the park particularly, and in that sense all Ontarians.

I take their concerns at heart, but I do not believe that it is a fundamental impossibility to resolve these issues. I recognize it is necessary for all of us in this House to approach them with goodwill in order to be able, as my friend the member for Renfrew North said, to sell those settlements when they are met.

The Acting Speaker: Would the member for St George-St David like to wind up for his final two minutes?

Mr Scott: No, thank you.

1800

The House divided on Mr Laughren's motion, which was agreed to on the following vote:

La motion de M. Laughren, mise aux voix, est adoptée :

Ayes/Pour—47

Boyd, Buchanan, Christopherson, Churley, Cooper, Coppen, Dadamo, Drainville, Farnan, Fletcher, Frankford, Gigantes, Haeck, Hansen, Harrington, Haslam, Hayes, Hope, Jamison, Johnson, Klopp, Lessard, Mackenzie, MacKinnon, Malkowski, Martel, Martin, Mathysen, Mills, Morrow, Murdock, S., O'Connor, Owens, Perruzza, Rae, Silipo, Sutherland, Ward, B., Ward, M., Wark-Martyn, Wessinger, Wildman, Wilson, F., Wilson, G., Winninger, Wood, Ziemba.

Nays/Contre—20

Bradley, Carr, Cleary, Conway, Cunningham, Elston, Eves, Henderson, Jackson, Jordan, Mahoney, McClelland, Miclash, Offer, O'Neill, Y., Scott, Sola, Sterling, Turnbull, Witmer.

ROYAL ASSENT SANCTION ROYALE

Hon Mr Alexander: Pray be seated.

The Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present meeting thereof, passed a certain bill to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Clerk Assistant and Clerk of Committees: The following is the title of the bill to which Your Honour's assent is prayed:

Bill 81, An Act to authorize borrowing on the credit of the Consolidated Revenue Fund.

Projet de loi 81, Loi autorisant des emprunts garantis par le Trésor.

Clerk of the House: In Her Majesty's name, His Honour the Lieutenant Governor doth assent to this bill.

Au nom de Sa Majesté, Son Honneur le lieutenant-gouverneur sanctionne ce projet de loi.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

Hon Miss Martel: There has been an agreement among the three House leaders to recess from this point until 7 for dinner, and I would so move at this point.

The Speaker: Miss Martel moves that the House recess until 7. Do we have unanimous agreement?

Agreed to.

The House recessed at 1812.

[Report continues in volume B]

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economic Development
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaître, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Jansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Jarnick, Charles	Willowdale	PC	
Jarrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Jarris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Jaslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Jayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Jenderson, D. James	Etobicoke-Humber	Lib	
Jope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Juget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Jamison, Norman	Norfolk	NDP	Chair, standing committee on estimates
			Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathyssen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Diemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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 Co-Chair: Noel Duignan
 Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
 Clerk: Smirle Forsyth

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Legislative Assembly
of Ontario

First Session, 35th Parliament

Official Report
of Debates
(Hansard)

Wednesday 19 June 1991

Assemblée législative
de l'Ontario

Première session, 35^e législature

Journal
des débats
(Hansard)

Le mercredi 19 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 19 June 1991

[Report continued from volume A]

The House resumed at 1900.

POLICE SERVICES AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES SERVICES POLICIERS

Mr Hampton moved third reading of Bill 66, An Act to amend the Police Services Act, 1990.

M. Hampton propose la troisième lecture du projet de loi 66, Loi portant modification de la Loi de 1990 sur les services policiers.

Hon Mr Hampton: As I noted on second reading, this is a technical amendment designed to remove any doubt about the jurisdiction of boards of inquiry constituted before 31 December 1990. It reflects the policy position adopted by this House in the Police Services Act whereby members of boards of inquiry may continue in office to finish the work already assigned to boards which they started before their appointments as panels members expired.

I appreciate the support of the House for this bill and I am grateful that together we will have reduced uncertainty and avoided the need for litigation on this issue.

Motion agreed to.

La motion est adoptée.

BIG SISTERS OF SUDBURY ACT, 1991

Mrs Mathyssen, on behalf of Ms Murdoch, moved second reading of Pr11, An Act to revive The Big Sisters Organization of The Regional Municipality of Sudbury.

Motion agreed to.

Third reading also agreed to on motion.

SOUTH OTTAWA SERVICES FOUNDATION, INC ACT, 1991

Mr Daigeler, on behalf of Mr Grandmaître, moved second reading of Bill Pr13, An Act respecting South Ottawa Services Foundation, Inc.

Motion agreed to.

Third reading also agreed to on motion.

MAY COURT CLUB OF OAKVILLE ACT, 1991

Mr Carr moved second reading of Bill Pr69, An Act to revive The May Court Club of Oakville.

Motion agreed to.

Third reading also agreed to on motion.

LONDON FOUNDATION ACT, 1991

Mr Carr, on behalf of Mrs Cunningham, moved second reading of Bill Pr71, An Act respecting The London Foundation.

Motion agreed to.

House in committee of the whole.

LONDON FOUNDATION ACT, 1991

Section 1:

The First Deputy Chair: Mr Carr moves that paragraph 3 of subsection 3b(2) of the act, as set out in section 1 of the bill, be amended by striking out "Elizabeth Gervin" in the first line and substituting "Elizabeth Girvin, Glen Johnson."

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 and 3 agreed to.

Bill, as amended, ordered to be reported.

On motion by Miss Martel, the committee of the whole House reported one bill with a certain amendment.

THIRD READING

The following bill was given third reading on motion:

Bill Pr71, An Act respecting The London Foundation.

1910

EMPLOYMENT STANDARDS AMENDMENT ACT (EMPLOYEE WAGE PROTECTION PROGRAM), 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI (PROGRAMME DE PROTECTION DES SALAIRES DES EMPLOYÉS)

Resuming the adjourned debate on the motion for second reading of Bill 70, An Act to amend the Employment Standards Act to provide for an Employee Wage Protection Program and to make certain other amendments.

Reprise du débat ajourné sur la motion de deuxième lecture du projet de loi 70, Loi portant modification de la Loi sur les normes d'emploi par création d'un Programme de protection des salaires des employés et par adoption de certaines autres modifications.

The Acting Speaker (Mrs Haslam): I believe the member for Brampton North had the floor when we finished.

Mr McClelland: Much has been said about this bill over the past few weeks, and certainly with the amendments that will be more formally introduced when this bill goes before committee, a great deal of the bill has been changed. With the debate that ensued on 30 May of this year, when I had an opportunity to speak to some of the concerns, I want to say very candidly that I appreciate the response of the minister and the fact that some amendments were forthcoming.

When the minister made the statement in the House with respect to his amendments, I indicated at that time that I felt, and I still maintain the view, I say in all candour to the minister in his presence here this evening, that it was indicative of a fundamental problem with the whole process with respect to the development of Bill 70. I think it calls into question the consultative process that is espoused by this government.

It was said from the outset, and I notice the member for Chatham-Kent spoke at length on 30 May about the

consultation that had taken place. I said at that time it stretches credibility to suggest that the business community and the non-profit and charitable sectors had been consulted on this legislation. It seems to me they were consulted after the fact, and the consultation was really initiated by them. It seems to me that, given the history of events with respect to this bill, there was a furor; there was a grass-roots movement with respect to the implications of Bill 70. Only after that was initiated by the business community, by people in the non-profit sector, did the so-called consultation take place.

I know very well what this government deems to be consultation from time to time. I heard an example just this morning, where a phone call setting up an appointment was said to be after the fact while we consulted with this government. That is not consultation. Consultation is sitting down and trying to have an exchange of ideas, an honest exchange of viewpoints even if they are differing, and making some sort of honest attempt to understanding and exchanging ideas and maybe coming to some common ground and some meeting. I suggest fairly clearly that the history with respect to this legislation calls that into question.

I am not privy to all the consultation that took place. It has been asserted by honourable members opposite—and I have no reason to question that they are all honourable members—that much consultation took place. But I think the extent of that is very questionable. I repeat my comments of 30 May that I think the history speaks for itself. Soon after this legislation was tabled, soon after the business community became aware of the implications and soon after the non-profit and charitable sectors of the province became aware of what was happening, they had input of their own initiative and of their own making to the minister, and changes were forthcoming.

Initially, this evening I would like to make it very clear and emphasize that wage protection is important. I think that goes without saying, but it is necessary for us to go on the record and say very strongly that we make a clear statement that we believe in that principle. When workers have earned money, they ought not to be prevented from collecting what is due to them in a timely and effective manner. Some sort of employee wage protection program should be a cost of doing business in Ontario.

I would venture to say that the vast majority of responsible businessmen and businesswomen in this community have no problem with that and accept that premise and indeed would want that to be the case. They would want to enjoy good, healthy employer-employee relationships. Even in difficult times they would look to their employees and say, "Let's work this out; let's tough it out together," and come to a solution and save a faltering business or a business that may be in trouble. I do not believe Bill 70 is the most efficient means, nor is it the least drastic means, of achieving this very important goal.

Let's take a brief look at the law as it affects businesses that may be insolvent or bankrupt in the province. Bear in mind that this legislation will only affect, as I understand it, businesses that are incorporated under the Business Corporations Act. I say in all candour, if I were running a business and I had some concerns about legislation that was

forthcoming, I would just simply have letters of continuance and flip my business under the BCA. I would avoid it if I had those concerns.

The crux of the issue and the way to cover this is through the Bankruptcy Act. We all know in this House that is federal legislation. I am sure the minister is very delighted and pleased that his colleague in Ottawa has responded and made a commitment, in fact has tabled in the House of Commons in Ottawa legislation that would have significant changes to the Bankruptcy Act. That to me is the optimal means of achieving the ends and the very laudable goals of Bill 70, because the Bankruptcy Act is indeed the problem. It is, so to speak, the wrench in the works. As we all know, the Bankruptcy Act sets out the prioritization of claims, and it is the Bankruptcy Act in its current form that really disadvantages the unpaid employees, compared to other claimants, upon dissolution of a business entity.

The current government looks to the Employment Standards Act, through Bill 70 and through amendments to the act, as the way of achieving the goal it has in mind. What does Bill 70 set out even with the proposed amendments? Within Bill 70 as amended, there is an expanded definition of wages. Directors previously were not liable for termination of eight weeks or severance, 26 weeks' pay. This could increase the liability of up to \$20,000 per employee for directors under Bill 70.

Ontario's Business Corporations Act only makes directors liable for wages. Bill 70 extends liability, and I think it is important for people in the business community to understand that. It extends liability to shareholders, potentially, who act as directors because of a unanimous shareholders' agreement, which gives the shareholders all the rights and responsibilities of that director. I think it is very important to understand that in terms of implications for shareholders. The imposition of personal liability very well may, and I suspect will, deter qualified advisers from becoming involved as directors in companies that are experiencing financial difficulty.

Bill 70 is in my view an overreaction. It catches people who had never expected to have liability. When I say "expected," I talk in terms of a reasoned, thoughtful business decision by people who had entered into a business enterprise based on the expectations that were clearly set out. Directors and shareholders operating under a unanimous shareholders' agreement accepted those positions based on a certain set of expectations and circumstances. It is clearly unfair to change the environment retroactively and still hold these people responsible under an expanded liability.

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Given the new circumstances that Bill 70 would bring to bear on the business climate in this province, I believe many of these directors would not have accepted the position in the first place because of the level of potential personal liability involved or, alternatively, they would have accepted those positions only if they were guaranteed that liability insurance was being paid for them or that they were compensated for the additional risk incurred in some other manner.

Clearly, many of us enter undertakings and enterprises in life based on a risk-benefit analysis. People entered

businesses; they set them up. They became shareholders and accepted responsibilities within the corporate sector based on a set of expectations. There is no doubt in my mind that many of these people will come before committee and express those concerns to the members of all three parties, who will be sitting in the standing committee on resources development this summer to hear the concerns coming from the public with respect to Bill 70. I urge members to listen carefully to those concerns.

It seems to me that a number of suggestions have been made in the past as the concept of wage protection was initiated. It is safe to say that many people within the Ministry of Labour suggested that a stand-alone interim provision was really the route to go. To bring in Bill 70, in terms of changing the Employment Standards Act, setting it up was not the most advisable route to go. I do not want to belabour the point this evening—we have a lot of business to cover and members have been very patient with the proceedings here today—but as this goes to committee members, will hear from countless people, if they are given the opportunity to present, how they would endorse the concept but feel very strongly that the mechanism by which the government is seeking to impose its view with respect to wage protection is inappropriate and fundamentally unfair.

Failure to comply with the provisions under the legislation could result in a fine of up to \$50,000. I think that ought to be reconsidered. It is an extraordinarily hefty penalty. I know that is the maximum and the variety of circumstances would be taken into account when the adjudicator, whoever he or she is, determines the level of the fines to be levied in the cases where the legislation was transgressed. But surely it is important to know that in many cases people who potentially would be fined for failure to comply did not set out to have their companies go under.

As I looked back through Hansard, I was really concerned; I said in my comments on 30 May that I was not convinced the Minister of Financial Institutions really meant what he said, because of the way he characterized the business community, the corporate sector, and I quote: "The corporate sector in this province would prefer to say that no individual is responsible and that no individual should be liable."

I beg to differ, with great respect to the Minister of Financial Institutions. I do not believe the vast majority of business people, men and women, feel that way at all. I believe that they are responsible and that they enter into business with the best of intentions to make a contribution to society and to their families and to themselves. To suggest that they do so with a lack of responsibility and an unwillingness to accept responsibility I think is grossly unfair to men and women who set out in an entrepreneurial spirit to establish the lifeblood of the economy, in many instances, in small communities all across this province and who have contributed so very dramatically to the riches we have enjoyed over the past number of years. I draw to the attention of members opposite that the vast majority of new jobs created for women and for young

people entering their first job have been created in the small business, entrepreneurial sector.

The Minister of Financial Institutions also said, "The corporate sector would prefer to see nobody responsible for those irresponsible acts." I completely reject that statement. I do not believe for one minute that it is fair to categorize it as an "us and them" situation and say that all corporations and business people are these terrible people who are setting out to be irresponsible and do harm to individuals.

It was also said in the debate on 30 May that people were happy to have been involved in the drafting of this legislation. If that is the case, I think they would want to reconsider very carefully the implications of what they said at that time. Surely the amendments have been forthcoming as a result of concerns expressed and heard and responded to. I applaud the government for doing that, but simply to say we did that in response to those concerns begs the question of why those concerns were not addressed in the initial case.

It comes back to the same question I asked initially: Where was the consultation? Where did it really take place? Who sat down and thought through the implications of this legislation in terms of its potential impact on the business community? I am delighted that the not-for-profit sector, the charitable sector, has been removed from the implications of that, but who thought that through in the initial instance? Who sat down and thought about it, and who turned their minds to the impact of this legislation that people were boasting about three weeks ago in terms of their involvement in its drafting.

Another provision of Bill 70 that needs to be addressed and that I believe will be addressed by individuals throughout this province is the provision that directors need not be the last resort in terms of collecting wages and severance pay that might be due. I believe the employer is primarily responsible. I have no question about that. As I said, I think the concept behind the bill is fine, but surely proceedings against employers ought to be exhausted—and under this legislation they do not have to be exhausted—before proceedings are commenced against directors and relevant shareholders. That is pursuant to subsection 40s(2) of the proposed legislation.

In my view, all avenues of the corporation should have been exhausted and explored prior to making individuals responsible for the actions of an independent entity. That is the concept of business law, as we have understood it, that has evolved over 130 years in this jurisdiction. It did not grow up without some rationalization. It grew up over 130 years for some very fundamental reasons in terms of the evolution of law and what that embodies, creating corporations as individual entities that stand unto themselves and that have the qualities and rights of an individual or a person in law.

It seems to me that to depart from that concept on the basis of this particular issue opens the door to grave considerations in the future. Surely, to be consistent with the development of common law and business law as we have understood it, and as business has operated successfully for the most part in this jurisdiction and in jurisdictions in

North America for well over 130 years, we ought to look very carefully at revisiting whether or not the corporation as an entity ought to be held to account first before individuals are held personally liable.

It is very clear under the act that individuals cannot contract out of liability, but directors may be indemnified by an employer. That is fine. It seems to me that this results in a basic unfairness to companies on the verge of insolvency. Many smaller companies close to bankruptcy or in difficulty cannot afford to indemnify their directors. This is not a scheme, in its final analysis, to encourage people to go out and buy insurance. It is, or ought to be, a scheme to set up wage protection. I believe we are missing the mark, and this bill will misdirect some of the focus. There is a two-year limitation under Bill 70 within which proceedings must be commenced. Quite frankly, the Business Corporations Act as we know it is of no application, and section 131 of that act has no meaning whatsoever.

I reiterate the position I hold very strongly, that the development of business law in Ontario over the last number of generations has evolved on the basis of what works and makes sense and has been a give and take. An evolution of that law, it seems to me, ought not to be thrown out, on a very, very fundamental principle of business law.

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Other ancillary concerns would include, in my view, the issue of how this fund will be paid for in the long term. Current plans, as I understand it from statements made in this House, call for the program to be funded out of general tax revenues. However, neither the Premier nor the Treasurer has ruled out a payroll tax or other tax measures, and I say—I think with considerable accuracy—that neither has indicated precisely how the initial funds will be raised for that. They certainly will come out of general revenues in the initial instance, but perhaps we will have another tax under way.

Whether it is done out of general revenues or out of an additional tax, when all is said and done, successful businesses will be subsidizing the failed or unmet responsibilities of less successful operations. So if you run a good business, and I am unsuccessful, you will again end up subsidizing me.

Contrary to some of the sentiments I have heard expressed opposite, there is no business in the world that sets out and says, "Over the next number of years, we're going to lose money and, hopefully, go out of business." Nobody sets out to do that; quite the opposite. I am amazed to hear some of the rhetoric from people opposite who have the preconceived notion that somehow businesses set out to lose money and cut employees loose. Quite frankly, it boggles the mind to think how that concept can be embedded, that there would be such a sense of divisiveness and a sense of confrontation—

Mr Elston: A lack of understanding.

Mr McClelland: —and a lack of fundamental understanding, our House leader says, of how business operates. The world does not always operate on an adversarial basis. I say to my friends opposite that it is time to put that adversarial concept aside and understand that it is not the

norm in this world. They may firmly believe it from their backgrounds, some of them, and I say that with respect. I understand where many of them are coming from. But you do not deal with 2% or 3% of the population by going after 100%. Some businesses that operate in the province expect 2% or 3% of their accounts will be bad. In some cases, it may be more. But businesses do not operate on the concept that all of their customers will be bad customers. Businesses do not operate on the concept of fundamental understanding that all of their debtors will create problems for them. They operate on the basis that most of their customers are good customers, and they deal with the specific problems as they arise.

It seems to me that the concept embodied in Bill 70 in its initial form, and also the whole process and the rhetoric I have heard surrounding it, is that all these businesses are terrible people. Some of them are bad actors; there is no question about that. But certainly in society we do not set out with a premise that everybody is a bad actor and deal with it. We deal with the specific circumstances and develop a remedy that focuses on the problem. To use an old, proverbial cliché, you do not kill flies with sledgehammers. You go after them. You do not use a chainsaw when a scalpel will do the job.

I say to my friends opposite to think very carefully about what they are saying to the business community and people who are looking at this jurisdiction. The bill remains retroactive at the present time until 1 October 1990. It will not be passed now until October 1991—a year of retroactivity. Retroactive legislation of this type, in my view, is entirely unfair. I think it calls into question some very basic fundamental freedoms that we have understood in this province and this country. I say that with the greatest of respect to my friends opposite, who have always been the champions of democracy and freedom, who pride themselves on advocating against injustices and things that are unfair in this world and in this province.

How can they possibly say to people in good conscience, after the fact, "We're changing the rules"? Many of them have invested, quite literally, everything they have. In some cases, family members have thrown their lot in with businessmen and women—sometimes extended families. Many of you people are involved in business and you know what I am talking about. You have gone to your in-laws or your friends or your brothers or your cousins, and they have helped you out, or you have helped them out. To say, after the fact, that we are going to change the rules of the game is fundamentally unfair. Furthermore, I think it sends out a very serious message to people, not only in Ontario but literally around the world.

We had a debate or some comments surrounding this with respect to Bill 4 and the retroactive nature of that legislation prior to the Minister of Housing bringing out his so-called permanent legislation. But think about the message the government is sending. The implications of this legislation are not only with respect to the black and white set out in the documents; it is the inherent message. The message is to men and women who would seek to do business in Ontario: "Be careful, because you don't know what the

rules are going to be down the line. Don't make any decisions. We're prepared to change the rules after the fact."

Some of our colleagues are out playing baseball tonight. I want to make it very simplistic. What happens in sports is this: You set out a set of rules, one team and the other team agree to what is going to happen and you play the game by those rules. You do not change them after the fact and say, "By the way, we don't like the way it was done; we want to change the rules to make sure we come out on top."

Members opposite say that is simplistic, but they should think about that analogy. They should think about it in terms of personal relationships and family relationships. You do not go by after the fact and say, "By the way, we had certain expectations, but now I'm changing them; not only am I changing them, I'm changing them back to what they were over a year ago." But that is the message the government is sending to the business community. I say with all respect, how can it possibly in fairness tell people after the fact, "All bets are off, we're changing the rules"?

Second, have members thought about what that is going to tell people who are thinking about coming here? Is this the end of it? Is this one more straw to be piled on to the camel's back, so to speak, or is this the beginning of a tidal wave—if I can use a mixed metaphor—of changes that are going to come, many of them retroactively? That question is being asked. Believe me, it is being asked by people not only in this province who are considering moving elsewhere; it is being asked by people who otherwise would have considered coming to do business in this province. They do not know what the rules are and Bill 70 is sending out that message in terms of its retroactive application.

The summary procedure that is embodied in Bill 70 gives former employees instant and direct access to directors' assets without notice. I will just put that on the record for members' consideration, to think that through. Also, to tie it back in to the concept of corporations standing as an individual entity and existing as an entity unto themselves in law as we understand it in this province, surely there ought to be an opportunity for directors to have notice to be able to explore what other possibilities exist within the corporate structure to satisfy what is ultimately a legitimate claim.

I want to repeat two things in summary. The message to business investors right now is that there are no rules. The government did that with Bill 4. I do not have it on authority, because I am not privy to all of the detail, but I am told that after Bill 4 was introduced, essentially all the life insurance investment in this province died out. That is a big chunk of money. They did not tie it up and say, "We're not investing in Ontario any more because we don't want to get into residential legislation." They said, "We're not doing it because we don't know what the rules are."

The government is repeating, it is amplifying that message again with Bill 70. It is saying once again to businessmen and businesswomen, investors, international money, "You don't know what the rules are now; you don't know what they're going to be in the future." That in a sense has been the case in any jurisdiction: the rules always changed down the road. This is the first government that I am aware of that has taken such great liberty in changing the rules

after the fact and going back and saying: "We don't like the fit, so we're going to change it. I'm sorry you came in here with certain beliefs and expectations, but that's too bad. We don't like the fit and we're going to change it." I would not be willing to go high risk in that environment. I say that very candidly. Many members, if they were to search their own consciences, would not be prepared to do that. They would not engage in undertakings with their colleagues or other individuals if they were not sure what the rules were now, much less what they were going to be down the road.

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One of the other interesting things I find is this concept that business is out to lose money. No business—and I have said this before—sets out to lose money. One of the great ironies is that the cabinet of this government is saying: "We're going to change the rules with respect to you. By the way, at the same time, we're prepared to set a course of action over the next four years and essentially bankrupt this province. We're going to hold you personally liable and personally responsible if ill befalls you through no fault of your own, but at the same time we're going to take the liberty to say, 'We're going to set out intentionally to go on a course of spending enormous sums of money and incurring a huge deficit.' By the way, that is not our fault. We're doing it because all our motivation is noble and we have the best of intentions in what we're doing and we are doing it to contribute to the wellbeing of this province."

I find it ironic that the government would be willing to change the rules for people in the business community and yet it cannot even come close to having that same standard of conduct for itself.

I dare say some of my colleagues would be the first to jump on this and say, "Oh, you're scaremongering." If members do not think businesses are going to move out of Ontario as a result of this, they are dreaming. The member for Chatham-Kent laughs at that. He should wake up and smell the coffee, because businesses are looking very seriously.

The question is, is this the thin edge of the wedge? What is going to follow? What is going to take place here? What is going to happen in Ontario? He ought to wake up. If any shareholder of any company set out to do what he is doing, he would be fired. Many of the government members are going to be fired in four years. They should bear that in mind. They can sit there with the biggest grins on their faces that they have right now, but four years from now, they will not be back. They should bear in mind that one of the reasons they will not be back is because they are taking the hope of jobs away from the very people they vowed to work for, to create jobs for. A lot of those people are not going to have jobs as a result of some of the actions the government is taking.

Companies are not only leaving Ontario; other companies are not going to come here. That is one of the grave, sad results of what is taking place surrounding this legislation and other legislation that is coming. There are not only reduced incentives to stay in Ontario of late; there are now disincentives to remain in Ontario and carry on business. I believe very clearly that there will be fewer startups of

companies, and that will be extremely detrimental to the economy.

How are the NDP members going to pay for all the good things that many of them believe in? And they do. They believe in good stuff. For years, they have had that role in this province and many of them continue to do that. At the end of the day, the vast majority of us, from whatever side of the House, whatever party we represent, believe ultimately in many of the same goals in terms of bettering our society, providing for people who have legitimate needs and dealing with social issues and social concerns. But how is the government going to do that if the engine that drives the economy either slows down or perhaps in some communities stops altogether?

They can slough it off as easily as they want. They can grin and sit there in their seats and say, "Well, that's the job of McClelland, because he's in opposition, to talk about all the terrible things that this bill is going to do." But they should understand the people who write the headlines in the newspapers this week that say businesses are being scared away; they should understand when men and women come to the door in their constituency offices, as they will in scores over the next year. They should remember sitting here tonight, remember sloughing it off as just a little bit of an exercise they have to go through because they got unlucky and drew House duty tonight. They would rather be out playing ball. I would rather be out playing ball too. They should remember that when those people come to their doors this winter and ask them why they are losing jobs and why there are no prospects for employment in their communities and in their neighbourhoods.

Another great consideration is those firms that specialize in saving faltering firms. They will be very wary of supplying their services to firms in Ontario. When they do their risk return or risk-benefit analysis to decide which firms are savable for what cost, it will cost Ontario firms more.

I made some mention about venture capital and how it comes into the province for one of two reasons; one is to start companies up and the other is to turn failing companies around. They will be very wary when they look at the cost-benefit analysis of coming into this jurisdiction. In the event that Bill 70 is passed—and I even believe in its current form—that risk-benefit analysis will tilt against attracting business and keeping business in this province.

Investors will be deterred from investing in Ontario. The change in the business environment, the climate, will have that effect. There is no certainty any more in the province if the government goes ahead with this and has the retroactive provisions it is contemplating. That message will be heard loud and clear all across this province, across this continent and, I believe, around the world.

I do not want to take too much more time. I notice many of our friends have been waiting for some time to speak on this. I want to make one or two concluding comments if I could.

It is my belief that the additional risk of companies in a difficult time will have tremendous difficulty attracting top managerial talent for their companies. These men and women who have the managerial skills to come in and turn

companies around are among the most necessary people we have for the kind of economy we want to develop into the year 2000 and beyond in Ontario. Happily for them but sadly for us, they are also the most mobile. They also have skills they can pick up and take to any number of jurisdictions, any number of companies located around the world, which would welcome their input. We need those people the most when the economy is in difficulty, such as we have right now. They will say: "It's not worth the risk. Why should I be vulnerable? Why should I come in and try to turn companies around and help them?" Those with management expertise, that skill men and women have, believe will be reluctant to be put to good use in the province of Ontario.

The amendments introduced were not simply drafting changes, although they were that. They were not a matter of clarification of a word here or there. The amendments result in changing the fundamental liabilities as set out in the bill in its first instance. Those changes indicate that the government certainly listened to some of the relevant groups and listened and responded.

I hope the government will go back to the drawing board and listen to the things that come up when the bill goes out to committee. It has changed them fundamentally now. If it is intent on listening to the legitimate, honest concerns of people who come before it, I think it will be prepared to change it some more.

I have indicated my position. The government ought to scrap it and start fresh. I firmly believe that. It ought to have a stand-alone bill that sets up a fund that stands alone that is on an interim basis, that provides the very good things the government wants to do through this, pending the long-overdue amendments to the Bankruptcy Act. But it should listen carefully to what is said. It has listened in part, it should hear the rest of the story. It should hear the rest of what men and women concerned about their jobs have to say. I say to the government members, what is going to happen to their friends and their children, what kind of economy are they going to have?

I see my friend the member for Windsor-Sandwich here. I had the pleasure of living in that community for a number of years, an economy so much tied to the ups and downs of the auto industry and so vulnerable to the bad times and enjoying the good times. One of the thrusts that the community has undertaken very well—I know, having lived there for a number of years—is to diversify its economy and to give some broad base in the economy that is not necessarily auto-related.

You know those kinds of businesses you want to attract to the community of Windsor, to the other communities across this province and to the north, where the parliamentary assistant comes from, where they need to have that diversity. Those are the kinds of businesses that are going to be welcome here, the absence of which will hurt your communities.

The government should listen carefully, when it goes to committee, to all the affected groups. It should try to get it right this next time around. I say that in all sincerity. It should do the best it can and listen to these people and their concerns. If it thinks there is any legitimacy in it

all, I ask it, in good conscience, to hear them out, not just to pay lip service and sort of slough them off, as has happened in the past, but to listen to the substance of what they have been saying.

The Premier said the intention in the initial drafting was not to increase the liabilities of directors and officers. Having done that, the minister has responded in part with amendments. He has in fact increased the liability and the exposure of directors.

In this case I believe the road to bankruptcy, given the good intentions of the Premier, as expressed by the Premier, may in fact be the road to some significant economic hard times in this province.

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I hope that as this goes out to committee, those concerns I have expressed and others will be brought to bear. I applaud the minister for the work he has done working with his federal colleagues. He should continue to press that issue. I hope he is successful. I wish him much luck and success in seeing that happen in a timely fashion.

I conclude by saying Bill 70 was brought forward with intentions that nobody in this House from one of the three parties questioned. Nobody said it was a bad idea to offer wage protection, but I do not think there has been for a long time such a quick, grass-roots response to some of the deficiencies in the bill and the minister reacted to that.

But it begs the question again: How did it ever get through in the first place? Who was minding the shop when this came forward? If the deficiencies were recognized—and he admits by responding, which is great. I applaud him for doing that, but there were errors in terms of its drafting and some of the concepts.

He should listen to the rest of the concerns out there. Surely they deserve his honest response. Surely the people who have put so much on the line to provide for the economy of this province ought to be heard and given the same kind of attention many of the groups that have his ear receive.

I ask him to put aside that adversarial concept so predominant in some of the rhetoric we have heard here. He should put it aside and listen carefully to what they have to say. If he does that, everybody will come out a winner, particularly men and women who are unemployed, who have lost their jobs and ought to be given the protection. They also want to know they have jobs for the future, that their communities are viable and their children and others in their community have the prospect of jobs down the road. So I ask the minister to do that and I thank you, Madam Speaker, for the opportunity to participate.

Mr Daigeler: The member for Brampton North has done an excellent analysis of what is wrong with this bill and I do not think I need to add much to it, other than to say for the life of me I cannot understand why cabinet let this bill go through to the House in the first place.

I do understand the member for Hamilton East would bring in such a one-sided bill. I must admit that when I was on that side I had respect for the member for Hamilton East as a very ferocious, aggressive advocate for workers and unions generally. But as he is beginning to realize now

that, when you are in cabinet, on the government side, you have to take a broader look at things and respect the concerns of all society.

I guess this message was brought home to him by the business community, by professionals, his own caucus colleagues and probably the cabinet as well. He has brought in some major amendments of which I am pleased. But it does raise the question: Why did he bring in this bill in that shape in the first place? It does not reflect very well either on the minister or, I would say even more so, on the cabinet.

Here is the new government with a bill very important for its own philosophy. What does it do, what is the result? They have to withdraw on the whole front even before it goes to committee. I do not think it is a very good sign for their own ability to manage their legislative agenda.

It is good to see they are willing to recognize a mistake and are willing to say, "Okay, we made a mistake and we want to change it." That I applaud them for. However, I only hope they would recognize and do the same thing on other matters.

Mr Waters: In listening to the member for Brampton North, he said the feds were looking at this particular problem with the Bankruptcy Act. The problem is that the feds have looked at it seven times over the last 20 years and have not done anything and I do not see any change right now. Where is the change and where is the potential for change there?

In my view, this is labour legislation we are talking about, not bankruptcy legislation. It is unfortunate that a company has become insolvent, but this legislation is to protect the worker and therefore belongs in employment standards in the labour law. It does not belong in bankruptcy.

I talked to some people who head up a division of a large corporation for one group. We dealt with their problems, with what the minister had to say. When he made the amendments he dealt with all their concerns. They seemed quite happy with the legislation as it is now put forward.

We are faced with a dilemma here. Certain businesses are going to falter and how are we going to protect the worker? The worker has some rights; that is what this legislation is all about, protection for the people who fall victim to a company when it has become insolvent. That is the aspect that we are trying to deal with.

As far as retroactivity is concerned, business has been aware of this since last October, that it was going to be retroactive. This is going to be no surprise when the bill is proclaimed; they have been well aware and can plan for this. I see no problem at all.

Mr Callahan: I do not think anyone has an exclusive possession of workers. Every party and everybody is concerned about workers. The difficulty with Bill 70, though, is that if you look at it in the long run, particularly in its unamended fashion, it goes a long way towards doing a disservice to workers, to lessening employment, particularly volunteers. If that bill had remained and remains—and I understand it is not going to—in its present form, it would have meant a great deal of volunteerism would very easily have been lost to this province. It is fine to speak of

employees, but when you speak of employees, you have to take a balanced look at it. You have to say that without jobs, you do not have employees, so that "employees" becomes a phrase that really means nothing.

In the final analysis, when members look at legislation across the way there, I say to them, please do not look at it simply from the standpoint of employees. If they do, they can carry that to such an extreme they eventually kill the engine of business that creates the jobs, that creates the employees. In the final analysis, as much and as hard as they may try to be fair to the employee, they are doing a disservice to those people who require jobs to look after their families. I urge them in this legislation, and in some of the other employment legislation being brought down the pipe, they have to have a balanced approach because the people out there may think this is great stuff, but when they find they no longer have jobs and can no longer characterize themselves as employees, then of course the whole emphasis, the whole effort on the government's part has been lost.

Mr McClelland: I just want to say to my friend the member for Muskoka-Georgian Bay that I appreciate his sentiments and his comments, but clearly he does not understand the implications of the Bankruptcy Act or the amendments proposed in the House of Commons just this week. In fact, I would hasten to add that his own minister has applauded those and said they are what we need. He hopes they will be forthcoming and is optimistic that will be the case, and hopes this legislation will work in tandem and those amendments will complement on another. I understand the need to get up with some spontaneity and participate in the debate but, in so doing, he should certainly be aware of what is taking place in the federal jurisdiction as well as here.

I simply say the motivation behind Bill 70 is clearly to ease the effects of recession, and I recognize that. As my friend the member for Brampton South has said, that is the intent, but it seems to me this is clearly not the appropriate means of doing that. It is a laudable end but, in the final analysis, the result will be the loss of industry and jobs in this province. It could very well increase terminations. The number of small businesses that close their doors may do so sooner. Directors, I believe, will wish to consolidate their losses rather than incur further personal liability, given the higher risks as created by Bill 70.

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I would hope, as I said earlier, and I do not know how often I can repeat it, this government will listen carefully to what is being said out there. If you think you understand stuff, terrific. If you do not, be willing to go out and ask some questions and talk to the people who are doing it on a day-to-day basis. Understand their point of view. At least try to understand it. Try to understand what is involved with people who are trying to run businesses, who are trying to meet payrolls, who are trying to compete. I know it is not an accepted word in the lexicon over there, but competitiveness is important, and they should try to understand that, try to work it into their thinking as best they are able. They should put aside that preconceived notion that

people have and work in co-operation and build an economy that is good for everybody.

Mrs Witmer: I am pleased to have this opportunity to speak to Bill 70 in its present amended form and to indicate that our party does support the principle of protection for workers who are owed back wages. Our party is pleased to see the amendments which remove the liability provisions for officers; which limit directors' liability to wages and vacation pay, as is consistent with the current liability under the Ontario Business Corporations Act, which limits liability to those debts incurred during the term of the directorship, thereby removing the extension of liability for a full year after the resignation of a director; and which exempt non-profit organizations from the provisions of the bill.

Concerns about these issues had been raised by Ontario's business community and also by volunteer directors. Our party has brought these concerns to the minister's attention through a number of questions in the Legislature which highlighted the unfairness of including officers in the liability provisions, particularly for non-profit organizations. Also, we indicated the unavailability of directors' and officers' liability insurance to protect these individuals.

On 28 May we asked the minister to commit himself to bringing in an amendment to exempt officers and directors from the provisions of Bill 70, and now we are pleased to see that has been done. However, I still wonder why non-profit corporations were not originally exempt from the legislation, since the discussion paper, Wage Protection Fund, dated December 1990, stated on page 19—and I think this is extremely important:

"Improved wage recovery from directors and officers may have the following unintended effect." This is what was said, and this was known to the minister: "There may be a disincentive to become a director or officer of a corporation. This would be especially severe in the case of non-profit corporations where the directors volunteer their time and energy as a contribution to the community. It may therefore be appropriate to exempt non-profit corporations."

Why, I ask, did the minister not follow his own ministry's advice as given in the discussion paper, Wage Protection Fund, in December 1990?

On 16 May I asked the minister to withdraw this bill and produce an alternative model because we felt it was flawed in extending liability to officers. I indicated that it did not make sense to put the responsibility on the shoulders of the people who have absolutely no control or responsibility over a firm's fortunes. I am pleased that the officers will no longer be personally liable. This liability would have exposed many officers to personal ruin.

On 27 May I inquired about the availability of directors' and officers' insurance and was not given an answer to my question. That indicated to me that the bill was drafted without a clear understanding about the availability of directors' and officers' insurance. Indeed, we were aware that there were only two companies that offered this insurance and they had indicated to us that they were unwilling to underwrite this insurance for companies whose financial positions were unstable, the very companies that most needed the protection. Therefore, without

protection, without insurance, small and medium-sized companies in this province would have opted to close, rather than face personal liability, and more jobs in this province would have been lost.

Yes, Bill 70 in its original form was unfair, it was shortsighted and it was ill-conceived. However, I am very pleased that the minister did respond and address the growing level of concern with the legislation. I am pleased that the minister recognized that Bill 70 was not creating the single new job. In reality, it was going to cost us jobs.

While the amendments address many of the serious concerns about Bill 70, they do not change the flawed process of its development. The government launched a consultation process in January of this year. However, it failed to include the recommendations of the business community in drafting the original bill. The government simply paid lipservice to the word "consultation." I would suggest that in future that meaningful and effective consultation take place. The measure of effective consultation is a policy which in the end reflects a fair balance of the expressed views and concerns of all the parties involved.

Concern has also been expressed about the short consultation time line in January. I would suggest that in future this time line be extended so that all of the parties can analyse, they can study and they can critique the discussion paper and they can develop positions on the topic. This would be of considerable benefit to the government. The ministry must also spend the necessary time producing discussion papers that discuss all possible and viable options before the legislation is brought to this House.

It was because of haste and it was because of a lack of true consultation that Bill 70 in its original form was poorly drafted and flawed in principle. It is for this reason that Bill 70 should receive a thorough review through a public hearings process and be sent to committee. It is important that all of the stakeholders in this province who will be directly impacted by the provisions of this bill have the opportunity to voice their very real and legitimate concerns. We must ensure that this legislation does not, and I quote from IBM Canada, "dampen the entrepreneurial spirit that we should be encouraging if we are to move out of the current recession."

Although this job protection fund will provide some temporary relief for employees in this province, in the end it is going to be the security of a job that is going to be in the best long-term interest of workers, and that should be our goal, to make sure that people in this province do have secure, good-paying jobs.

By sending this bill to committee, the government will have a further opportunity to investigate and respond to the concerns that are being raised in this province.

I would like to share with members at this time some of the concerns I feel need to be answered. First, the federal Minister of Consumer and Corporate Affairs tabled a bill on 13 June to amend the Bankruptcy Act. Under this new program, employees who are caught in a bankruptcy, receivership or liquidation can receive up to \$2,000 for unpaid wages and vacation pay and up to \$1,000 for unpaid salesperson's expenses.

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Currently a wage earner is only entitled to a preferred claim, in an amount not exceeding \$500, for arrears in wages and vacation pay for services rendered during the three months preceding bankruptcy. Now an employee will be able to submit a claim to the wage claim payments program. The claim will be verified and the employee will receive 90% of the money owed within four to six weeks. The program will then recover the money, where possible, from the assets of the employer. Wage claims not covered by the fund, such as severance and termination, would rank as ordinary unsecured claims.

Unfortunately, it is proposed that this federal program would be funded through a new payroll tax, and our party could not support another payroll tax. Indeed, the Canadian Federation of Independent Business has said, "An additional tax, no matter how small, is irresponsible when companies are reeling from the goods and services tax...and face substantial increases in payroll taxes for unemployment insurance on July 1."

We all know that experience indicates to us that once a new tax is introduced by any government, it will inevitably be increased in future budgets. The Canadian Federation of Independent Business wants employee wages to be made a secured or a superpriority claim, which would eliminate the need for such a fund. I would ask the minister to consider. Is this possible?

Obviously, now that the amendments have been introduced by the federal government to the Bankruptcy Act, we must ensure that there is absolutely no duplication of programs or costs at the provincial and federal levels. Indeed, one question I have is, what provisions are there to prevent individuals accessing both funds? What discussions have taken place between the province and the federal government to harmonize Ontario's laws with the proposed reforms to the federal bankruptcy legislation amendments?

The minister has indicated on several occasions that he would like to meet and discuss with his federal counterparts. He indicated that again in June. He wanted to ensure the harmonization of the federal and provincial programs. Now the opportunity is there, and I would suggest that discussion take place.

We must remember that our financial resources—and I am referring now to the taxpayers' money, because it is the taxpayers who are going to be paying for this, whether it is a federal or a provincial program—the taxpayers' dollars are limited and we must do everything possible to use them as effectively and efficiently as possible.

Although I appreciate the fact that the government is trying to protect employees' wages in cases of bankruptcy or abandonments, there are certain economic realities the government must take into account before developing legislation such as this. The government should conduct a cost impact analysis and start asking itself, can we afford this legislation in its present form? Will it lead to further job losses?

Has the government considered a sunset clause, based on the implementation date of the federal program, to limit the cost of the Ontario program? Has the government considered

an alternative to the \$5,000 maximum? Has the government considered limiting the compensation to wages and vacation pay?

Concerns still exist in the business community about coverage from this fund for severance and termination pay, and it is estimated that this fund is going to continue to be a drain on the Treasury. It is estimated that in the first 18 months about 56,000 people are going to access the fund. It is going to cost about \$175 million. By 1992-93, assuming that we do have a return to normal economic conditions, and that is anybody's guess at this point in time, there are going to be an additional 19,411 workers accessing the fund and that is going to cost approximately \$55.33 million. Can the province of Ontario afford to be this generous? Are the workers not protected by the unemployment insurance system?

Another question that is asked concerns the unemployment insurance payments. Workers have already received unemployment insurance payments based on their termination without receipt of their severance pay and back wages. If they were now to receive a lump sum payment from the wage protection fund, would they have to pay back some of the UI payments? However, the big question that remains is, will the Ontario employee wage protection program eventually be financed through another payroll tax?

It is obvious that there are still many unanswered questions. Also, the fact that the federal government has now introduced amendments to the Bankruptcy Act leads to the need for much further dialogue with that other level of government. It is for this reason that more time is needed. It is for this reason that the proposed legislation should go to a committee for public review. It is important that further dialogue take place.

Another concern remains about subsection 65(1), which permits the Lieutenant Governor in Council to make regulations increasing the amount of compensation payable under the employee wage protection program. Why will the Legislature not make this decision on the expenditure of money? Why will the taxpayers not have a voice in increasing the amount of compensation?

There is also some concern about the availability of directors' and officers' liability insurance. Although the liability is consistent with the Ontario Business Corporations Act, Bill 70 is still going to introduce new enforcement measures which represent a real extension of the liability of directors.

These are the questions that still need to be answered.

I would like to take the opportunity to congratulate the minister on bringing in amendments in light of the evidence of the damage that the bill in its original form would have done to the economy in Ontario and to employers and employees. It had the potential to do irreparable harm to the very fragile industrial fabric of Ontario. It had the potential to accelerate job losses and it had the potential to close more businesses in this province.

However, I would like to share with the House one of the most objectionable features of this bill, and that is the fact that it was based on an erroneous assumption about business, the way in which business is conducted and what

actually happens when a business collapses. Unfortunately, the assumption was made that the officers of large corporations either have control or are in control during the process leading up to the collapse of the business. The fact is that no one is in control in the sense that the government had originally assumed.

Businesses in this province collapse not because those in positions of authority want them to collapse, but because of circumstances that are far beyond the control of any one individual. The impact of government policy, the impact of government taxes, the role of the workers, the changing nature of the marketplace and other factors are what contribute to bankruptcy, and unfortunately, all of these factors were not taken into account.

2020

We need to restore the badly shattered confidence of the Ontario business community. It has already been pointed out this evening that it is the small business people in this province who create most of the new jobs, and we need to consider these individuals. We need to restore their confidence. We need to encourage them to create and put investment into new business.

I ask the minister to carefully reassess the impact of other proposed programs that this government is planning, and these include employment equity, changes to the Labour Relations Act and increasing the minimum wage. They are all going to have a detrimental impact on Ontario's economy if appropriate consultation does not take place. In this province it is important that we do everything possible to provide a secure economic environment for our citizens, one which provides secure, good-paying jobs for all workers and which in time will totally eliminate the need for any employee wage protection fund.

Mr Owens: In the gentle congeniality of the House, I thank the member for Waterloo North for her comments. I think the difference that separates the governing party and the third party is that when we perceive a need, when we see the wreckage and ruin of this recession brought on by their colleagues in Ottawa, we move out and take action. The third party recommends a cost impact study.

I am sure the honourable member's riding is not a lot different from mine. Mine was a formerly industrialized riding. The member for Waterloo North is very swiftly losing the plants in her riding, and I would like to bring her to Scarborough Centre to meet some of the folks who are going to be able to take advantage of this program. I think the mistake the opposition makes is that the fund is going to be a free-for-all, and clearly it is not. This fund is meant for workers of companies that are not prepared to live up to their obligations.

I had a constituent in my office about a week ago, a worker who had been employed by a plant. The plant closed up, moved out. That worker is left without severance and without vacation pay and he has a family on the way. He has a mortgage to pay. What are we supposed to do with these people who have worked all their lives? The member for Brampton North mentioned that we have a problem with competitiveness. It is unfortunate that he is not here. The workers who have been working in plants for

00 and 40 years have been extremely competitive and are now faced by the recession.

Mrs Witmer: In response to the member for Scarborough Centre, I simply indicate that our party does sympathize and we do support the principle that workers deserve the back wages. However, I remind those members opposite that it needs to be in partnership with the business community and we need to consult with those individuals and recognize the impact this type of legislation is going to have. My concern is that it has shattered their confidence, that people are starting to go south of the border and are looking elsewhere. I guess in the end I see us losing jobs, and I see the need for this type of fund continuing. It would be my hope that we could develop in this province and in this country a fund that would help workers. However, I also hope it is one the business community would fully support.

Mr Callahan: Gordon, you know if they flip the television they see you in every seat.

The Acting Speaker: The member for Brampton South does not have the floor.

Mr Callahan: I was just commenting—

The Acting Speaker: I know what you were just doing, but you do not have the floor. The member for Chatham-Kent may continue.

Mr Hope: Before I get into what I have in front of me today, I would just like to reflect on some of the comments, not using the two minutes' space, but to use it in my presentation today.

I reflect back and I congratulate the minister for his understanding and listening to the general public on some of the concerns about legislation. As I reflect back on five years of the previous government's administration, when not only were we not able to get in and talk to ministers of labour about issues facing our workers—and we did deputation after deputation—but in order to get the government's attention, do you know what we had to do? We had to take to the front steps at Queen's Park. And guess what: We still never got the changes to the legislation, because workers did not mean much. So when I hear the comments about this government or this minister not listening to the concerns that are reflected by the community, I must reiterate that he was listening very closely to a number of the concerns.

With that, I look at this government's commitment to protecting the wages of working people when their employer closes shop, whether it be an office or a workplace. Thousands of men and women in this province have lost their jobs. They have lost their jobs without any notice, and they have lost not only their jobs but their dignity, their wages, their vacation pay and their severance pay.

I reflect back to 2 January 1988: A major issue faced this country. We all know what the Mulroney trade deal was all about: the North American content, which jeopardized a lot of jobs here in this province and also of the people of my riding, which has a lot of our parts industries. We heard the member for St Catharines vocalize the concerns of the independent parts manufacturers and suppliers. One of the major issues is that a lot of those

independent suppliers are corporate-based in the United States. Now, instead of putting tariffs on the bridge, we have opened the tariffs up and just let them walk through.

Now we are looking at more of this in a trade deal with Mexico. I listen to the federal government and hear what they have to say; I usually listen. I also listen to what the United States is saying about this issue. But when business people from Taiwan, business people from the Third World, who are already taking advantage of cheap labour, are looking at investing in Mexico because it is even cheaper labour, that is one of the disadvantages of what is going on. So when we talk about this legislation, this legislation is commitment. We hear today about the federal government's commitment. I must reflect back on a commitment the federal government made on the Unemployment Insurance Commission. It says to the employers and the employees, "We will take more money out of your paycheque and we will then take back our contribution, but don't fear, we will put together an excellent training program." That was a year and a half ago and today we are still waiting for that training program for our workers and the moneys they have contributed to this federal government to make sure there was an effective training program to take us through the free trade deal.

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As we listen to the legislation that was introduced today or the day before by the federal government, I must say if it takes as long as it did to put a training program in place for the workers, I poor pity those families that are waiting today for that money that is owing to them. This is theirs.

Madam Speaker, if you do not pay your loan at the bank—and I know you must have a loan; I know I do—if I do not pay my loan, I am sure the bank will be there to take and possess that. So why is it that the people do not have the same right? People should have the right to the moneys that are actually owed to them. We are not asking for more.

People are left out on a limb, but they say on the opposition side of the House that labour and management must come together. I am very proud of a workplace in my area. An employer, a family business, was faced with a difficult situation. It was CAW Local 127 in Chatham, with a workforce of 220 dedicated men and women in that workplace. They went for three whole weeks—I believe two or three weeks, and I could be wrong, but in that area—without a paycheque. But they were in there on the regularly scheduled day, working to help bring the company through and to make it survive. This government even came through and assisted that corporation in putting it back on the street.

As I look at this legislation and I talk about the fears that are labelled in the media, I see that business has nothing to be afraid of. This is a government that is committed to working with business. The working people of this province who negotiate collective agreements, who are the ones fortunate enough to be unionized—and I do say that—work on three-year collective agreements. I reflect back on my own. During those three years, I was out there, dedicated—I mean sweat, and sometimes some blood too,

because I probably actually cut myself or something working so hard. For the three years I dedicated my life to that company, but when the third year came up, I was there to get the profit that the corporation made, a fair share of that profit, to put into my pocket to help my family and restore my standard of living.

There is a dedication on behalf of workers in this province. One of the unfortunate parts is that for years workers have been neglected. As I sit here and listen to some of the conversations, there is always one major question that comes to my mind. I look at the members opposite, who say they support workers, but when I listen to the conversation extend itself around business, I guess there is a question that I really have to ask, and ask the general public here: Whose side are they actually on? Are they afraid of offending their corporate donors during election campaigns? Is there a hidden agenda that is so secret? As I listen to the concerns they put forward today and the workers in my riding wait for this money that is owed to them, I have to ask the question: Why do we have to have hearings on this legislation if they say it is so good? They say that workers need the money right away. Right away is not after the summer and moving into September and maybe into October. We need the money for these workers now.

I wish they would call their colours of today and be counted on whichever side they are actually standing for. I am not accusing all members opposite. I know there are some good ones over there. Inside they talk about it and I would say there are some good ones. But a lot of these families whom I know personally are people who for years have packed their lunch pails or their brown paper bags—recyclable, I must add—and walked into their workplaces day by day for six days a week or seven days a week, because a lot of them were committed workers and making profits.

The members opposite talk about the carpet being pulled out from underneath people's feet. On 2 January 1988, the people of this province had the carpet pulled out from underneath them by the federal government—the Mulroney trade deal, which is hurting us today and devastating my community, which is an auto parts sector and also an agricultural sector.

We know what they are feeling. As I listen to the concerns of the members opposite about the relationship between labour and management, and as I try to focus more on it, the people who create that buying market, the people who purchase the fridges and the stoves, who purchase the automobiles or the lawnmowers, those people who purchase that product—and these are massive numbers of people purchasing this product—are the working people of this province. In order to create investment in this province, the people, you and I—I know I live on a week-to-week paycheck—

Ms S. Murdock: Month-to-month.

Mr Hope: Oh, month-to-month now, sorry. We are the ones who generate the economy. If a person with a family of four can fit something into the family budget, that person will purchase, and then the buying power will be there and the jobs will be there. The investment will be there

because the entrepreneurs we are talking about, the small business or large business, if they see a potential market, will enter into it and take advantage of it.

All we are asking is a commitment to the community, to the workers, to the people. It is not only that one worker or the five workers or the hundred workers; it is also those families that are affected. We are not just talking about an individual receiving money; we are talking about a spouse receiving it and about their children—and most of them only have two because that is all we can afford these days.

I firmly believe that this legislation is positive, a bright light—as I try to turn down some of the haloes when I listen to some of the comments next door so that I do not get the reflection back on me. But I must add that there is a bright light for co-operation that is here.

I will not go on any longer, but one thing I must add and I want to reflect to the people out there, because they listened to the Bankruptcy Act that the member opposite raised. There are so many loopholes that I would refer to it as “you could drive a truck through it,” but because of free trade I do not know if we are going to have any truckers left. So I cannot use a truck as the thing we are going to put through there. Maybe we will talk about one of the ships or one of the Tory buses we could drive through it with, because it is so big.

I think this government has shown its commitment to the people of this province by introducing this legislation in such a short period of time. I must add it was effective and efficient in listening to the people of this province on some of the concerns that they have. No matter what legislation we introduce, we are never going to please everybody, but this is a positive step to the replenishing of a viable workforce. These people win awards constantly for corporations. They make profits for corporations. This just means a little bit more fiscal planning ahead of time in making sure that workers receive a share.

Just in closing—and I said that earlier, I must add—there are some small entrepreneurs in this province. They will not have to worry about this legislation, and you know why? They are committed to the people because it is a family business. They know your mother, your father, your brother, your sister, and they are not about to hurt their friends. The decisions are not made in corporate boardrooms, where the community has no say, this province has no say—and I am just going to let the federal government off a little bit; the federal government does not have any say either, because the corporate boardrooms are usually in the United States and possibly now Mexico, which raises some higher concerns.

2040

But this legislation, to the mom-and-pop operations—and I hate referring to them as mom-and-pop operations, but to the small business community—they are dedicated to their workers in trying to make a fair way of doing things. All I say, and really in closing, is to comment that there is only one hope for Queen's Park, and that is me standing here. But I have to withdraw that comment and say there is hope in Queen's Park and it is the New Democratic government sitting here on this side of the House, caring about the concerns of the people of this province.

Mrs Witmer: I would like to take this opportunity to respond to the member. I would like to congratulate him on what I know are his sincere feelings and respect for the workers. However, I would hope that we would all consult, that we would start to listen more effectively to one another, and that when legislation is introduced it will reflect the opinions of both sides. I guess until that time we will have to agree to disagree.

The Acting Speaker: The member for Chatham-Kent has an opportunity to wind up his debate for two minutes.

Mr Hope: Madam Speaker, I would love to for two minutes.

On a more serious note now, I have approximately 300-plus workers right now who are waiting for this legislation to be passed. They have had an opportunity to review it. I have made sure of that because I have gone out here and talked to the workers who are setting up and making sure they are able to consult. They talk among themselves, so they all understand what is actually going on here.

The workers of this province do not have faith in the federal government. I am sorry to say that, but they do not. They have been devastated by what has been taking place in their communities.

I am not standing here as a New Democrat; I am standing here as a member of this Legislature who is reflecting some of the concerns and the hurts that I have felt over the past 10 years of the people whom I represent. When I have to help somebody lower their common dignity to walk down the street and enter a food bank because some system has failed that worker, that is one sight I think a lot of these members in this House ought to experience. I am sure that the two or three hearings that this legislation is going to go through would change their minds very quickly in making sure that the people receive the moneys owed to them.

Mr Callahan: I would like to enter into the fray.

Interjection.

Mr Callahan: It is nice to see the Minister of Transportation in the House tonight. I am glad he could get here in his limo and that he is in his right seat to heckle.

I have to say that this is a marvellous plan. It is really very devious. As I thought about what I was going to say tonight in this speech, I reflected that the Minister of Labour had been required to recant in cabinet, and I would like to have been a fly on the wall when that happened; but I do not think that is what happened at all. Let me play out what I think the scenario is. I will be able to tell by the faces of the cabinet ministers who are here—two, I think, or three; two and a half—whether or not what I am about to say is correct.

What I think happened is this: The NDP looked at the last popularity poll and they saw that their popularity was plummeting. So the backroom guys, the McClellans of the world—not you, by the way—said, “We’ve got to put a spin on this.” The spin they put on it was this: “We let the Minister of Labour loose. We untie his leash and we let him go wild and bring in his wildest dreams, his most outrageous scheme for ruining and destroying this province.

Then after the press has murdered us for this, we say, ‘Well, we’ve listened to the business groups and labour and so on and we have now decided that we’re going to change this.’”

Members should think about it. That is a pretty sophisticated plan. It enforces the statements the Premier makes from day to day: that it is a partnership between labour and business. So by doing this, by letting the minister loose with his wildest dreams, making him king for a day, and then reeling him back in—I am not sure whether the minister was a willing participant in this whole process or whether he was just being led down the garden path. He has been in the House for a long time and I will respect the fact that he really cares. That is one thing about the member for Hamilton East, something you cannot attack. He has views that you cannot agree with because they are extremely radical. He is extremely devoted to the labour groups, and that I respect. I do not think anybody could not respect that type of commitment.

When he goes back home tonight, or wherever he lays down his head, and thinks about this scenario, that the spin doctors back at the Premier’s office were putting a spin on this that was unbelievable—it was: “We’ve let Mackenzie loose. He’s scared the living daylights out of the province. He’s got business so frightened, they think they’re going to have to close up shop and go to Buffalo.” And suddenly, all of these gratuitous amendments arrive on the floor.

Members should think about that: You are a businessman who has his finger plugged into the light socket and is having 150 volts go through him, and suddenly the spin doctors from the Premier’s office come along and pull his finger out and say, “Look, just fooling; we’ve been listening to you people; we really listen to you.” That is why they do not want to go around the province with public hearings, because they are afraid this conspiracy, this spin-doctor theme from the Premier’s office, will get out of the bottle.

Do members think the people out there are silly, that they do not understand what is going on? Do they think they do not understand that this is simply giving a few marshmallows to the business public? The government is giving them marshmallows, marmalade and honey so that it can introduce more draconian labour legislation that will eliminate any type of machinery or ambulances from operating; it will eliminate this possibility because they will not allow anybody to work if there is a strike.

2050

Members should think about it. In the last Metro strike—thank God it was settled. I am sure a lot of people out there from Metro are happy it was settled. But members should think about this: You are lying in the gutter; you have just been run down by a car or a bicycle. The Metro strike was not settled. The Minister of Labour’s legislation, which is the next thing—this is just the lead-up—is now in place, which prevents supervisors from taking on the job that the people on strike refuse to perform. The member for Chatham-Kent is lying in the gutter, having been run down by the bicycle or the car, and he is saying, “I need an ambulance.” A message comes to him: “I’m sorry, Randy, but under this new legislation by your

Minister of Labour, supervisory staff are not allowed to operate that ambulance while there is a strike, so you will just have to lie there until the strike is settled. I have to tell you that the Premier has appointed a mediator and the strike will probably be settled shortly." In the meantime, the member for Chatham-Kent is suffering in delirium here and cannot get any help.

That has to tell the people of this province, in spades, what the impact is going to be of the further draconian legislation that is coming down the pipe. As sure as summer is going to come a day or two from now, and winter is going to follow on that, you are going to see all this stuff come down the pipe; so I go back to what I said, that Bill 70, in its original introduction, would have shocked even the greatest socialist. The reason they brought in this honey and these little amendments was partially because the opposition was telling them they had to, but I think the spin doctors really had this all planned, and I have to give the spin doctors in the Office of the Premier a lot of credit. They have really fooled the public.

The amazing thing is that nobody in his right mind would ever have carried through Bill 70 as it was originally presented; anybody with any intelligence who looked at that bill had to understand that the net effect of it—forget about the profit side of the scenario, forget about the profit corporations—anybody who read it had to understand you were going to have the immediate exodus of every director and every officer from non-profit corporations in this entire province. What would you have? You would have millions of people whose work would then have to be taken over by civil servants or someone else, someone who is paid—and if you think the deficit now is high, we would not be able to pay the freight. So what I say to the government is that the people out there are intelligent. Voters are like a jury, they know the government is trying to pull the wool over their eyes. This whole thing is nothing but a sham. Bill 70, as it was originally presented, was a sham. It shocked the daylight out of the business community and now the NDP feels very confident, having introduced these amendments, that this will relieve some of the stress.

But there is the other side of the coin: The member for Chatham-Kent said, "Why do you want to send it out to public hearings?" If you send it out to public hearings, it comes under scrutiny, it goes under the microscope and if a few opposition members bring it to the attention of the people who are coming before the committee, that the spin doctors back in the Premier's office have perpetrated this fraud on the people, questions start to be asked and people say: "Well, you know, you may be right. Maybe the legislation that is going to be proposed by the Minister of Labour down the pipe is going to be worse and they are just trying to soften us up for that blow." Suddenly you will find that people will be getting together and formulating a way to oppose that type of legislation.

So in fact, what you have to do is keep it under wraps; you keep the genie in the bottle and the spin doctors down at the Premier's office just continue to do their little thing like whirling dervishes, spinning other ways to create this façade that there is a partnership between labour and management.

There is not one. Why spin-doc? We all know that some of the government members—not all of them, some of them—have a balanced approach to bargaining sessions, they see that the maximum thing is to keep some sort of balanced and reasoned approach to business and labour. But others over there believe that there is only one group of people in the world. That is fine. I think anybody in this House—we have all been labourers, we all are labourers even in this place we labour; sometimes we overlabour, as I am probably doing right now. But in fact, once you break that fine balance—and I am sure I could talk to government members in collective bargaining terms. If they have ever bargained for a collective agreement, obviously if they stuck to their guns and refused to bend whatsoever or to see any of the rationality of the business side, they would never have a collective agreement.

Now the government is doing the same thing with its legislation. I have talked about the spin doctors down at the Premier's office, but these people are members of the assembly, good people who have been elected by the people in their ridings, given a sacred trust to ensure that everybody's needs are looked after. The member for Kitchener does cut ribbons. He told me one night that he does not cut ribbons, he does not go to events unless he can speak. I have been told that. That is the wrong approach. When you are elected as a member of the Legislature—it does not matter if you are elected for the New Democratic Party, the Liberals or the Conservatives—your job, and you are given a heck of a lot of money to do it, is to represent everybody. I suggest the members have to do the same thing in this Legislature.

This is one of the anachronisms of this entire place, the fact that government members cannot do that. They live under the threat that they will lose their cabinet seat, or they will lose their parliamentary assistant's job, or they will lose their whip's job or their Chairman's job with all that extra dough and prominence, if they do not in fact represent the people from their community the way they promised they would in order to get elected.

So they should just think about it. We are not talking about the giant corporations of the world. We are talking about some family businesses where just that little extra nudge is enough to push them over the edge—and they do employ people, believe it or not. We are not talking about the mega-corporations. We have to view it in terms of small corporations, family businesses, large corporations, and not just try to look at everything in a myopic way. I suggest that if they do that, at the end of the day they will have negotiated the best collective agreement that they could have ever done as an NDPer during their term in government. They will have accomplished things for the people of this province that they can be truly proud of.

But if they continue to allow the spin doctors to create the facade with Bill 70 and then introduce the amendments and then go into more draconian legislation, which just upsets people, they will drive business out of this province. We will soon be part of Buffalo. We can all watch the fires and the liquor store holdups on the magic eye every night. We will not even have to pay for it, because it will be

coming right into our homes. We will be part of North America and the rest of it.

If that is what they want, if they really want to watch liquor store holdups and fires, then they should just keep on trucking, because that is what they are doing. They should think about this: This is precisely why the federal government has the responsibility for bankruptcy legislation, because if we bring something into this province that is not available in the other nine provinces and territories, we in fact have made our business environment—we have taken the welcome mat away from Ontario. We have said, "If you want to come into Ontario, you are welcome, but here are the rules and they are different from the rest of the nine provinces and the territories."

Surely at a time when Ontario is suffering the greatest hurt, the largest loss of jobs of any province in this country from this recession—and they blame it on the federal government and I would join with them. Certainly the Prime Minister and his merry band are playing Robin Hood, except they are stealing from all of us and they are not giving back to anybody, or they will at election time, I am sure. But the effect is that they create a situation where people look at Ontario, and from the other provinces alone, and they say, "Why should we move there?"

I notice that the real estate agents were saying that the housing industry was up. This was one of the indications that the recession was lessening. I suggest to members that if they really examined those listings, they would find that people are moving out of this province, that is the why the listings are up. They are selling like crazy because they want to get out of here before the place self-destructs. If that government continues in its vein of doing that, not only will it shoo everything out to the other provinces, it will shoo the stuff to the United States.

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The House leader and the Minister of Northern Development is waving her hands. I am not sure whether she is agreeing with me or whether she is saying, "That's foolish."

I will tell members opposite, the proof is in the pudding. They can go back to their ridings and find out how many jobs have been lost since that exciting day when they formed the government. It is outstanding. It is a record. The NDP will go down in the Guinness Book of World Records as having destroyed more jobs, lost more jobs in eight or nine months than any other government in the history of the world. If they can go back to the people in their ridings and look them in the eye and say, "I've done my job and all the things we did down here were great," if they believe that, then they should be able to sell them swamp land in Florida.

All in all, I do not think it is that difficult to do. We all have to bend, we all have to be realistic, we all have to not have this myopic vision of socialism. We have to say to ourselves, "What creates jobs? What in fact makes the jobs available so an employee can collect a salary," albeit sometimes people will lose their businesses and employees will lose their wages. I am with everybody else. I say that you have to have protection for them, but you will not get it this way. The government will get directors of companies bailing out when they see

the company getting close to insolvency, because they do not want to be liable for all that stuff the government is attempting to put on them.

In the alternative, you will never get good directors for companies, because they will say: "You've got to be kidding. With that legislation in place, I'm going to go on your board? Will you insure me, will you get insurance for me?" "Well, we can't get insurance for you because the insurance companies have decided that the risk is far too great and you can't be insured." That is the image from inside Canada. I suggest that from outside Canada the picture is far bigger and if the government continues with the legislation it seems to have down the pipe, it will be lucky if even Mexico will deal with us.

I urge members opposite to have a little more flexibility, try to open their minds, forget that they are all tied at the hip and be independent thinkers.

I just thought I would stop to see if anybody had realized I had stopped.

Hon Mr Mackenzie: I do not intend to be long, but I do want to make just a couple of very quick comments. We will respond in terms of the hearings and the clause-by-clause debate on the bill to some of the questions that were raised, but the member for Brampton North, the member for Waterloo North and the member for Chatham-Kent presented some serious arguments and some legitimate points of view. We do not necessarily have to agree with them, but I appreciated those three members' comments and I want to respond to one or two of them just quickly and then make a few general comments.

First, in terms of consultation, we have consulted extensively on this legislation. We consulted with 38 groups prior to the drafting and we have certainly consulted with a number of groups since then. We have listened to the arguments we have received. I want to reiterate that Ontario's Business Corporations Act holds directors personally liable already, so this is not a change to the face of business or a challenge to the face of business. Also, the benefits are retroactive. That was made clear by my leader when he announced that we were proceeding with this legislation back last October, and that is a fact. The liability provisions, however, are not retroactive.

I also want to point out that in terms of the charitable and non-profit organizations argument that is made, one of the big things we ran into there was that directors did not realize they already had a liability. Some would argue that ignorance of the law is not necessarily a defence, but the facts are that most of them did not realize the liability was there. We did listen to the arguments that were made.

I can also tell members that there is a liability for directors under the protection plan in Manitoba and it seems not to have given them any trouble at all. But we felt that on balance, because of the concerns being raised on this issue, it was well worth listening to the people.

I also want to say that the main thrust of our legislation, not only this legislation but other legislation that we will be proceeding with in this House, is to try to establish a much more effective partnership than we have had in Ontario up until now and one that is based on a little more

equality and co-operative approach than we have also seen in the province up until now. That has been behind most of the reasoning that we are doing on any of the labour relations areas we are looking at.

I emphasize that the main thrust and purpose of the employee wage protection program is to help workers recover unpaid wages when their employer is bankrupt, insolvent or they are simply not paid under other circumstances. Last year, nearly 3,000 companies in Ontario were forced to close due to bankruptcy. In many of these cases, the loss for the workers was not only of a job but also of earned income as well as vacation, severance and termination pay.

This government is not prepared to stand by and watch as workers are denied the money they have worked for. It is legitimately theirs and they need it. Losing your job for any reason is a rather traumatic experience. For most, it is a time of uncertainty and stress and it is a time when a person does need assistance. Since the employee wage protection program was announced last October, we now have over 13,000 workers who have filed claims with the employment standards branch of my ministry asking for assistance in recovering wages that are owed to them. We must be able to assure these workers and the others who come to us for help that we can indeed give them the support they need.

This government also listened to the concerns expressed by business and non-profit groups. As I announced two weeks ago, we will be introducing amendments to Bill 70 that will remove the liability provision for officers of companies. We will also be limiting directors' liability for wages to that which now exists. Directors will be liable for up to a maximum equal to six months' wages and up to 12 months' accrued vacation pay that comes due only during the term of their directorship. We do not intend to hold individuals responsible for corporate decisions that are made once they have left that position. We have no intention of increasing the liabilities for wages that currently exist under Ontario's Business Corporations Act, Corporations Act and Co-operative Corporations Act.

In addition, we will also institute special exemptions for directors of non-profit corporations. The government wishes to reaffirm our support for people who are directors in this sector. While the amendments do, we believe, resolve the concerns raised about all directors, we will add this exemption to reassure those who volunteer their time as directors of these organizations.

Last week, the federal government finally introduced, in amendments to the Bankruptcy Act, a proposal to create a wage protection fund of its own. We applaud the federal government's intention to create a national scheme to protect workers' wages. I would like to assure the House that not only will I be meeting with them but I have already met with my federal counterparts on this issue, and our staff are currently involved in discussions as to how we can assist workers who need this assistance and can access it easily and without undue complications.

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At the same time, I note that we do not think the federal program goes far enough in that the dollar cap is too

low and severance and termination pay are not covered. Termination pay is wages that are owed for the period when notice should have been given. Severance pay should be considered compensation to workers who are laid off, to recognize the investment they have made in the enterprise where they have worked. That was always the intent of it. We will continue to press the federal government to make appropriate changes to the unemployment insurance system so that these benefits are not deducted from a workers' unemployment insurance entitlement.

There has been an agreement among all parties as to the need for an employee wage protection program, so I do urge all members to remember the underlying principles behind Bill 70 and I urge them to think of the workers who, in good faith, have given their time and effort to employers and who, through no fault of their own, are unable to collect the money they have earned. Bill 70 is a necessary piece of legislation. It should be passed quickly so that the people of Ontario know they are assured of receiving the money they have worked for, so that they know they live in a society based on fairness and co-operation, which is exactly what we are trying to do with the legislation we are bringing forward.

Motion agreed to.

La motion est adoptée.

Bill ordered for standing committee on resources development.

Le projet de loi est déferé au comité permanent du développement des ressources.

ASSESSMENT STATUTE LAW AMENDMENT ACT, 1990

Ms Wark-Martyn moved second reading of Bill 36, An Act to amend certain Acts respecting Assessment.

Hon Ms Wark-Martyn: On 19 December 1990, I introduced Bill 36, the Assessment Statute Law Amendment Act, 1990. As members will recall, this bill has two purposes. First, it will discontinue the enumeration that the Ministry of Revenue conducts of multi-residential units in municipal non-election years. Second, it will replace the annual equalization process with a four-year equalization cycle.

As members may know, the Ministry of Revenue's property assessment program currently conducts a full enumeration of all properties in municipal election years. The full enumeration is presently under way. All households in Ontario should have received a municipal enumeration form. The mini-enumeration of apartment tenants undertaken in the intervening years between municipal elections did not achieve the same contact rate as the full enumeration. Often, fewer than half of the tenants were contacted. In addition, the reliance on population data has declined. Members may know that the basis for calculating provincial grants to municipalities was changed from population to number of households in a municipality. This has reduced the need for the mini-enumeration.

Accurate provincial grant entitlements can be made without a mini-enumeration between election years because the regional assessment offices have information

available from other assessment reports on the number of household units in a municipality, including the number of units in multi-residential properties.

School boards may worry that this initiative reduces the level of service provided to them, since school support information was collected by the enumerators. However, as I mentioned earlier, the rate of contact with tenants during the mini-enumeration was often below 50%.

Discontinuing the mini-enumeration will have minimal effect. On the other hand, this proposal, along with the change from an annual to quadrennial process for the production of equalization factors, will allow my ministry to redirect its resources to other activities, such as the completion of supplementary assessment. These activities are of primary concern to municipalities and school boards, since they establish the basis for municipal and school taxes.

Also, together these two initiatives will allow the Ministry of Revenue to save \$4.1 million in its operating expenditures. In this way, the government is responsive to the financially constrained environment facing our society.

The second main purpose of Bill 36 is to move the calculation of equalized assessments and equalization factors from an annual process to one undertaken every four years. However, the bill also allows these determinations to be made in the intervening years of the four-year cycle. This would happen if, for example, a municipality suffered a major decrease in its assessment base because a major industry closed or if municipalities merged under the program of county restructuring. Equalized assessments and equalization factors are measures that indicate the relative assessment wealth of a municipality.

Equalized assessments and equalization factors are used by the ministries of Education, Municipal Affairs and Transportation to calculate provincial grants. They are also used to establish cost-sharing responsibilities among municipalities within a county or region. Equalization factors are not the only criteria used by grant-paying ministries; these ministries also use multi-year averages to offset fluctuations that result from changing real estate markets.

It is important to remember that grants and cost-sharing are based each year on the assessment on which municipalities and school boards raise their tax. This assessment is directly linked to the financial capacity of the municipality and school board.

To repeat for the sake of clarification, the move to a four-year calculation process will not have a significant impact on municipalities, particularly with the provision to calculate ad hoc factors in the intervening years. With this provision, a municipality which experiences a dramatic impact on its tax base because of an industry closure will have its grant entitlements recalculated. In addition, that same municipality's contribution to shared costs within the region, county or district will decrease to reflect its reduced wealth.

Finally, the equalization factors and equalized assessments that my ministry will calculate every four years will be based on an average market value trend over the four-year period.

Bill 36 also contains complementary amendments with respect to the calculation of shared costs. It was necessary to amend these provisions to ensure that new cost-sharing responsibilities could be calculated on an annual basis without being tied to the production of new equalization factors. At the same time, authority for determining cost-sharing responsibilities is being transferred from the Ontario Unconditional Grants Act to the Municipal Act. This is accompanied by a provision for review by the Ministry of Municipal Affairs if a municipality questions the accuracy of its proportion of shared costs. If the municipality is not satisfied by this review, then it may appeal to the Ontario Municipal Board.

I hope this bill will receive the support of members of the Legislature. This legislation will ensure the continued delivery of reassessments to municipalities that request them. It will also allow my ministry to continue to produce supplementary assessments for new construction and permit municipalities and school boards to use a significant source of property tax revenues.

2120

Mrs Y. O'Neill: I am pleased to rise tonight to speak on second reading of the Assessment Statute Law Amendment Act. Bill 36, An Act to amend certain Acts respecting Assessment, was first introduced last spring by the Liberal government and is now being brought forward by the NDP.

The Minister of Revenue will be aware, as are most members in the Legislature, that there are many requests for assessment work to be done across this province, particularly to meet the needs of various reassessment projects. In fact, the primary responsibilities of the property assessment program are supplementary assessments, property re-evaluations in support of ministry reassessment programs, in-year tax adjustments, enumeration and equalization.

The legislation the minister is introducing tonight for second reading is part of the ministry's ongoing exercise to target its funding priority assessment needs. The government's initiative to establish a tax commission, the effect of which could very well be to shelve any real decisions on tax reform to a much later date, does not eliminate the reality that there is and will continue to be an unmet demand for assessment work by her ministry.

If and when the NDP government moves forward on Metropolitan Toronto's market value assessment plans, this initiative will be a very heavy burden for the ministry's resources. If and when the ministry establishes a crown corporation to administer assessments, the minister will be aware that it has always been assumed that the province would continue to provide at least its current level of financial support to assessment through payments to the corporation. This, as I understand it, would be base funding, in addition to any moneys charged by the corporation for extra work done for the municipalities.

I believe most municipalities agree they will have a fairer financial base by allocating funding of the mini-enumeration and equalization calculations to pressing assessment requests. The minister has decided this will have the

least direct effect on municipal and school board tax bases. Neither change will contribute, it is hoped, to a reduction in the base or failure to identify new growth.

The minister has indicated that she is bringing in this legislation because she has decided the costs of the program are not supported by the value of the data or information that comes from the mini-enumeration and the annual assessment equalization factors. I hope and trust the Minister of Revenue will ensure that her ministry will use the savings resulting from this legislation by wisely allocating them to requests from municipalities for provincially funded assessments and reassessments. I hope the minister will clarify and confirm that this is how the money saved will be reallocated. There are rumours that the money saved from this legislation will be used to pay for the tax commission and the unknown millions that the tax commission will cost. I hope the minister will confirm tonight that this is not the case.

My second concern is with the need for special reviews of equalization and enumeration factors in certain communities. The transition from annual to quadrennial equalization factors will tend to stabilize the level of grants to school boards and municipalities. The minister will be aware that Bill 36 contains within it two provisions for special consideration of local assessment factors. It is important for the minister to assure the public, municipalities and school boards particularly that this decision is not based on the view that these initiatives were not worth while within themselves. Section 3 of the bill provides for the ministry to do a special review of equalized assessment and equalization factors in certain municipalities as requested by the ministries of Municipal Affairs, Education, Northern Development and Mines. Section 5 of the legislation provides for municipalities to ask for a review of apportionment factors that are calculated without the information from the mini-enumeration. This section also allows municipalities to appeal the ministry's review of apportionment factors to the Ontario Municipal Board.

These two provisions in the legislation, sections 3 and 5, are designed to give municipalities and school boards some confidence that radical changes in local assessment factors can be accommodated without the mini-enumeration or annual equalized assessment through a special review by the ministry. I would like to suggest to the minister that implementation of these provisions will be very important. Monitoring of the successful implementation of Bill 36 not only will be important in rapidly growing communities, like mine in Ottawa-Carleton, but will be equally important in communities with declining populations. These communities are looking for the changes in their local assessment to be closely monitored and promptly reflected in the provincial equalization grant programs, such as the unconditional grants, in this time of need, in this time of recession.

School boards and municipalities are looking for a commitment from this Minister of Revenue that she will be vigilant in her decision to allow for special reviews and local assessment factors. I would like to ask the minister that she give us her commitment tonight that she will openly receive and promptly grant requests from municipalities and

boards to conduct special reviews necessitated by local situations such as I have mentioned.

I am pleased to know that the Minister of Revenue plans to continue to produce school support lists and associated computer tapes to allow school boards to track support and to meet their planning requirements.

I note that the legislation contains a mechanism for appeals to the OMB, as I mentioned earlier. I hope that the minister can implement this legislation in a way by which municipalities must use the OMB only as a unique last resort when special situations in their localities arise and have not been considered due to the use of quadrennial assessment after the initiative is taken. When the Liberal government introduced this legislation last spring, it was definitely our intention to work with municipalities and boards to resolve any problems that could arise, and I hope and I trust that this minister will follow that same path.

The Minister of Revenue will be aware that there are already some concerns being raised by groups that feel that changes in local enumeration assessment factors may not be adequately addressed without special reviews. I have received letters from the Ontario Public School Boards' Association that deal with its concerns on the implementation of this legislation. I know the minister has been in touch with the association and has offered to work with it to ensure that the legislation's implementation does not have any unfair consequences in the distribution of property tax dollars and provincial grant dollars to concerned boards in this province.

In addition, I hope this bill will be accompanied by an adequate educational component for municipal clerks and superintendents of finance of school boards, the people whose work this legislation will directly impact and who will be very important to the smooth implementation of Bill 36. This government owes these people every support they need.

In summary, the Liberal caucus will be supporting this bill. We feel that it is an appropriate initiative to prioritize funding within the ministry, and we hope and we trust that the saved funds will be used for the important assessment functions that will serve well Ontario's municipalities and school boards. I hope the Minister of Revenue will be sensitive, and that is what I have been asking tonight, in implementing this legislation and will respond favourably to requests for special reviews of local assessment and enumeration factors and that she will assist with all her might those who will implement Bill 36 locally with the necessary resources for a very smooth transition.

Mr Turnbull: My party supports the intent of this legislation. The bill will discontinue the annual calculation of equalized assessment and equalization factors and allow the Ministry of Revenue to prepare the equalized assessments and equalization factors on a quadrennial basis. The first one would take place in 1993. We would anticipate some savings from these measures, and to that extent we certainly applaud them.

I note also the bill will discontinue annual mini-enumerations. However, in the case of a municipality that has merged or has been experiencing a significant change in its tax base, the ministry shall determine the relevant equalized

assessment and equalization factor without regard for the four-year cycle. This is very important when we have situations such as the potential situation in Algoma and other one-industry towns. It is important that the ministry can move quickly on those matters.

I would just point out that we feel—this started under the Liberal government—there is too much downloading in property taxes. It is inappropriate to have such a major portion of education costs borne by property taxes. I remind members opposite of their election promise that they would fund 60% of education costs out of the provincial taxes, as opposed to property taxes. This is a very serious and pressing problem, and the other evening I was at a meeting where people were asking the government to keep its election promise. However, the intent of this bill is appropriate, and we support it.

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Hon Ms Wark-Martyn: I would like to thank both of the members on the opposite side of the House for their information and their thoughts on this bill and also for the support which they have voiced for this bill.

I would like to emphasize that the accurate provincial grant entitlements can be made without a mini-enumeration between election years because the regional assessment offices have information available from other assessment reports on the number of household units in a municipality, including the number of units in multi-residential properties. Regarding the impacts this will have on public and separate school boards, we have had contact with them and will be working with them on these issues.

I would like to thank both of the members again for their thoughts and their comments regarding this bill, and I would like to add that the cost saving from this, the \$4.1 million, will go towards doing some supplementary assessments for municipalities, as they have requested.

Motion agreed to.

Bill ordered for third reading.

GASOLINE TAX AMENDMENT ACT (AVIATION FUEL), 1991

LOI DE 1991 MODIFIANT LA LOI DE LA TAXE SUR L'ESSENCE (CARBURANT AVIATION)

Ms Wark-Martyn moved second reading of Bill 79, An Act to amend the Gasoline Tax Act in respect of Liability for Tax on Transfers of Gasoline, Aviation Fuel or Propane.

M^{me} Wark-Martin propose la deuxième lecture du projet de loi 79, Loi portant modification de la Loi de la taxe sur l'essence concernant l'assujettissement à la taxe lors des transferts d'essence, de carburant aviation ou de propane.

Hon Ms Wark-Martyn: The Gasoline Tax Act currently contains an unintended loophole. Airline companies have argued that the legislation, as it now reads, allows them to buy aviation fuel in the United States, import the fuel in bond and fuel their aircraft in Ontario, without creating an Ontario aviation fuel tax liability. Under the Gasoline Tax Act, tax is imposed at the time of purchase or receipt of the aviation fuel in Ontario.

Several airlines have taken the position that as the act presently stands, aviation fuel imported in this way is neither purchased nor received in Ontario and is therefore not subject to Ontario tax. The fact is the airlines were always intended to be subject to the Ontario tax, the same as other people who buy their gasoline and aviation fuel in Ontario. I propose the following amendments to the Gasoline Tax Act be made to clarify the existing legislation, to prevent any future tax avoidance of this nature and to protect the aviation fuel tax revenues already collected or assessed.

The first will require those who import aviation fuel for their own use to pay a deposit equal to the tax at the time the fuel is imported into Ontario. It is proposed that this amendment be effective as of 1 October 1989, when our border collection agreement with the Department of National Revenue on imported petroleum products went into effect.

The second amendment will ensure that the tax is imposed at the time the aviation fuel is transferred into the fuel tank of an aircraft in Ontario. I propose that this amendment be effective as of 1 October 1986. The reason is that formal challenges to the tax on imported aviation fuel began in October 1989, and several major airlines have requested refunds of tax paid previously on the basis of in-bond importations. Since there is a three-year limit on refund claims, as much as \$15 million of tax, going back to October 1986, could otherwise be refunded.

Ontario has had a long-established policy to tax all aviation fuel, whether imported or bought in Ontario and whether used in international or domestic flights. Since the tax policy intent has been clear, correcting these technical deficiencies in the act on a retroactive basis is appropriate. These amendments will not change the aviation fuel tax policy. They will, however, ensure that the policy is properly reflected in the act and that the aviation fuel tax base is protected.

Mrs Y. O'Neill: I rise again this evening to participate in this debate on the second reading of Bill 79. According to the title of the act, the purpose of this legislation is to amend the Gasoline Tax Act in respect of liability for tax on transfers of gasoline, aviation fuel or propane.

A little explanation is probably in order before I begin. Amendments to the Fuel Tax Act, 1989 were introduced by the Liberal government to try to control contaminated fuel being moved into the province by unscrupulous importers who claimed that the fuel was destined for sale in another province and therefore should not be taxed. The legislation required that importers would have to be able to provide information on the origin and destination of fuel that they were carrying. In order to ensure that all importers were covered, regardless of whether the fuel was actually sold in Ontario, the definition of "importers" was changed to cover all people who bring fuel into the province in bulk.

It is the practice of certain large airlines to import bonded fuel into Canada for use on international airline flights. Fuel is considered to be imported in bond when it is brought into the country in bulk for purposes that do not require federal excise tax to be paid on it, such as for use in international flights. The amendments to the Gasoline

Tax Act proposed by Bill 79 relate to the taxation of this bonded fuel by the province of Ontario in order to facilitate this taxation, to change the point of the taxation event from the sale of the fuel to the loading of the fuel into the aircraft fuel tank.

The effect of Bill 79 is that it now applies to airlines that purchase bonded fuel in bulk in the United States and import it into Canada. Airlines have been seeking confirmation that bonded fuel should not be covered by any tax and have indeed, as the minister mentioned, started a legal challenge to the tax on bonded fuel. The Liberal government had agreed to meet with the industry to resolve the dispute, since it was never the intention of that government to impose a new tax but to simply ensure that unscrupulous importers could be monitored and contaminated fuel traced.

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In so far as this legislation is essentially intended to close a loophole to the existing Gasoline Tax Act, we do not oppose this intent. However, I do have two very specific concerns about Bill 79. First, I am concerned about the reciprocity of other jurisdictions. Canada is a member of the International Civil Aviation Organization. This organization prohibits member nations from taxing aviation fuel in ways that are not similarly taxed in other countries and includes reciprocity provisions against countries that do charge extra taxes.

The government of Quebec, for example, has recently settled a number of claims by airlines regarding taxes levied on bonded and domestic fuels. Quebec agreed to tax only the portion of the fuel that is used when flying in Quebec, that is, on takeoff, and will refund taxes back to 1983. Therefore, in light of the common practice in most international jurisdictions not to tax bonded fuel, there is the danger that when Canadian airline companies use bonded aviation fuel in other jurisdictions, they may be liable to pay tax on this bonded fuel.

Should other countries, such as Japan and the Netherlands, decide to retaliate in this way against Canadian airline companies by taxing them at foreign airports, this could put an additional severe strain on the already struggling Canadian airline industry, and indeed it is logical and has already begun. Foreign airlines are encouraging their governments in that direction. This is an issue of concern to the airline industry in Canada and indeed in Ontario, and it should be an issue of concern to the Minister of Revenue.

My second concern regarding Bill 79 is buried at the very back of the bill. Subsections 9(2) and 9(3) state the scope of retroactivity of Bill 79. In fact, the real essence of this bill amends the Gasoline Tax Act retroactively to October 1986, and this is done to protect this government from liability in certain legal proceedings in which application has been made for the refund of taxes already paid.

Subsection 1(1) and section 3 of Bill 79 are retroactive to 1 October 1989. Subsection 1(1) amends the definition of the term "purchaser" to include a person who purchases fuel outside Ontario for use or consumption in Ontario. Section 3 changes the tax payable by the importer and the rate of that tax to "an amount as a deposit equal to the tax

that the importer subsequently would be liable to pay under section 2," a section of the Gasoline Tax Act which details the circumstances under which aviation fuel tax shall be paid.

Other key sections in this bill are retroactive as far back as 1 October 1986, as I have mentioned. These sections include subsection 1(2), which amends section 1 of the act and adds definitions of "delivery" and "fuel tank." Section 2 of Bill 79 details who is liable to pay tax on aviation fuel in Ontario and under what circumstances they are required to pay this tax. May I remind this House, this section, which is really the meat of the bill, is retroactive back four and one half years.

We have had discussions quite recently on the principle of retroactivity in this House. I think specifically of the very recent debate on Bill 4, where both opposition parties voiced very serious concerns about the fairness and the setting of precedent of retroactive government. Yet here we are tonight debating Bill 79, another piece of retroactive legislation which will impact the airline industry in this province, an industry which has already been victimized by the failure of this government to address the legitimate issues of competitiveness in Ontario's corporate sector. We must understand that Ontario businesses compete in an international marketplace. More and more, day after day, every day, all Ontario businesses are feeling the pressures of international competition.

Just as the NDP government seems to be refusing to recognize that the cross-border shopping issue is a sign of the need to make Ontario more competitive with United States markets, this same government seems unable to understand how legislation aimed at Ontario businesses, in this case the airline industries, can have serious, penetrating and long-lasting ramifications. Our Canadian airlines are probably even more sensitive to international competition than many other industries. The Canadian airline industry, in order to exist at all, must do a large amount of its business throughout the world, in many other countries.

Recent major expansions by large US and European carriers are an indication that competition in the airline business continues to increase in the face of the current difficult financial times in this industry. There are even predictions that the emergence of large supercarrier companies, as we are beginning to see in the expansion plans of American Airlines and United Airlines, will make it even more difficult for Canadian-based airlines to compete in international markets.

Sections 4, 5 and 8 of this bill, also subject to this four-and-a-half-year retroactivity, deal further with changing the definition of who is liable to pay this tax on bonded aviation fuel. I hope the Minister of Revenue realizes that the taxation of bonded fuel is a very contentious issue. The airline industry, a large employer in this province, is concerned with the direction this government has chosen to take with the introduction of Bill 79.

In closing, I urge the minister to consult directly with the airline industry, as the previous government had fully intended to do, and to ensure that its needs are met with respect to maintaining and improving its competitive position in the global market.

Mr Turnbull: We support this legislation. The bill is going to do two things. It will close a loophole in the Gasoline Tax Act, which airline companies have been attempting to exploit to avoid paying Ontario aviation tax, by stipulating that the tax applies at the time the fuel is transferred into the fuel tanks of an aircraft in Ontario. It will amend the bill to correct the inadvertent exclusion of aviation fuel consumers from the 1989 amendments to the act implementing the border collection agreement with Revenue Canada to pay a deposit equal to the amount of tax owed at the time the fuel is imported into Ontario.

I would just comment that the antiavoidance provision retroactive to 1 October 1986 and the deposit provision retroactive to 1 October 1989, the implementation date of the border collection agreement. Generally speaking, I would speak out very strongly against anything that is retroactive, but since it was quite clear that it was intended at the time that this tax should be gathered, everybody understood that and it was just a sloppy piece of drafting of the legislation, in this case we need to protect the Ontario treasury from any vexatious claims that are retroactive, since it would be justified by the airlines that they were not supposed to be paying even though they had already paid and people would be coming back for money.

The Progressive Conservative Party has opposed any tax increases since 1985, but the PC Party has supported and advocated tougher compliance and collection measures to reduce the value of tax revenues lost through lax enforcement of the tax laws or through smuggling. But I would echo the comments made by the previous speaker that it is important that this government consult with the airline industry, a very competitive industry which is feeling the pinch at the moment. It should consult and make sure the level of taxation is appropriate to keep them competitive.

These measures are clearly to close a loophole which should not have been there in the first place.

Mrs Y. O'Neill: I hope that in the minister's winding-up remarks, she will give us the assurance that she has consulted with the airline industry on this issue. I have not been able to confirm that she has done that. If she has, I would like to know. If she has not, I would certainly like to have a commitment from her tonight. This, one of the

largest industries, is certainly going through a great deal of trauma. All we have to do is read the newspapers again to see the results of that in individual people's lives. I would certainly like to hear her response to the request from both speakers on this side that she consult, and continue consulting, with a very important industry in this province.

Hon Ms Wark-Martyn: I would like to clarify that this piece of legislation is intended to close a loophole, which has been mentioned by both the members from across the way, to clarify the existing legislation, to prevent any future tax avoidance of this nature and to protect the aviation fuel tax revenues already collected or assessed.

In response to the member for Ottawa-Rideau with regard to reciprocity, the International Civil Aviation Organization and the possible retaliation, I would like to reply that the Nova Scotia Supreme Court has held that the ICAO agreement does not apply to individual states in the United States. Similarly, it does not apply to provinces and is applicable only at the federal level. British Columbia taxes aviation fuel in the same manner as Ontario does at present.

Also, regarding the competitiveness in Canadian airlines, this will apply to all airlines, as it does now. There is no change, so there will be no change in the competitiveness as far as refuelling is concerned and there will be no advantages given to non-Canadian airlines. I would like to respond also to both of the members that we will be working closely with all aviation companies regarding refuelling. They will know of the changes and the intended loophole that has been changed in this legislation.

Motion agreed to.

La motion est adoptée.

Bill ordered for third reading.

Le projet de loi devra passer à l'étape de troisième lecture.

The Speaker: It has been brought to my attention that there should be some information provided for the members on tradition. This evening the Agricultural All Stars managed to attain 14 runs and the Press Gallery 8.

The House adjourned at 2153.

ERRATUM

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First Session, 35th Parliament

Official Report of Debates (Hansard)

Thursday 20 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le jeudi 20 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 20 June 1991

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

Mr White: Madam Speaker, I would like to indicate that there is an all-party agreement among the House leaders to change the order of this morning so that Mr Dadamo will commence and then Mr Stockwell will have the second hour.

EMPLOYMENT STANDARDS AMENDMENT ACT (NOTICE OF TERMINATION), 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI EN CE QUI A TRAIT AU PRÉAVIS DE LICENCIEMENT

Mr Dadamo moved second reading of Bill 116, An Act to amend the Employment Standards Act with respect to Notice of Termination.

M. Dadamo propose la deuxième lecture du projet de loi 116, Loi portant modification de la Loi sur les normes d'emploi en ce qui a trait au préavis de licenciement.

Mr Dadamo: In the past year, we have experienced a tremendous amount of job losses, due largely to the major economic restructuring brought on by the current federal government. Policies such as free trade, high interest rates, the overvalued Canadian dollar and the GST combined are creating a shift in our economy that is hammering at the very foundation of Ontario's industrial strength.

The basis of our prosperity, which has been the twin pillars of a unionized workforce employed in large-scale manufacturing, has been fundamentally undermined by these economic policies. The results of that show quite clearly that the workers in this province are suffering, and changes are needed now to better protect our living standards.

Job loss resulting from plant closures and involving at least 50 workers is at a level above that of the 1982 recession. Layoffs occurring as a result of a reduction in plant operations are now also on the rise. Unfortunately, statistics for workplace closures of less than 50 workers are not required to be provided to the Minister of Labour. However, the closure-related job loss figures are staggering: in 1982, 11,150 job losses; in 1989, 12,684; in 1990, 20,554 job losses.

Industries especially hard hit by the increased closure activity are mining, food processing, transportation equipment—including auto parts—and electrical products. The impact is especially severe where closure occurs in single-industry communities.

In the last six months of 1990, 2,558 workers in the Windsor area were displaced as a result of their companies' closure. Many of these closures occurred with minimum notice, putting the burden of the adjustment on the employees and not allowing sufficient time to identify alternatives or facilitate any type of adjustment whatsoever.

If termination cannot be avoided, advance notice allows employees, employers, communities and the government to begin working on the adjustment process before unemployment becomes a reality. This bill will increase the amount of notice of termination required under the Employment Standards Act in cases involving 10 or more terminations caused by permanent discontinuance of all or part of the employer's business at an establishment. Twenty-six weeks' notice would be required if there were fewer than 200 terminations, and 52 weeks' notice would be required if there were 200 or more. The only exceptions to entitlement to the notice would be if the employee had been employed for less than three months or if he or she had been guilty of wilful misconduct, disobedience or wilful neglect of duty.

This amendment also removes the exemption of notice of termination, which is not required if an employee is laid off or terminated during or as a result of a strike or lockout at his or her place of employment. This exemption allows employers to defeat the intent of the Employment Standards Act, as employers can postpone terminations until after the commencement of a strike or a lockout in order to avoid notice requirements.

An example of this occurred in Windsor last August, when 295 employees of Wickes Manufacturing Co were locked out by the employer after General Motors had announced three months earlier that a major contract to produce bumpers was being transferred to another competitor. Negotiations with the Canadian Auto Workers were a mere formality that allowed the company to wait until it was in a legal position to lock the workers out and avoid paying the 12 weeks' notice that would have been required by the Employment Standards Act, had it not been for the lockout exclusion.

This amendment also requires employers to provide certain information to the minister about the planned terminations. This information must include the economic circumstances surrounding the intended terminations; any consultations which have been or are proposed with the affected employees or their agents or with local communities; proposed adjustment measures and the number of employees expected to benefit from each; and a statistical profile of the affected employees. This information has to be provided to the minister before notice to workers will take effect.

Advance notification builds on the assumption that the burden of adjustment should not be placed only on employees. At the same time, its purpose is not to penalize firms, but to allow sufficient time to identify alternatives or facilitate adjustment. Advance notice may allow, if it is accompanied by consultation, an exploration of alternatives to cutback or closure.

If termination cannot be advised, employees can begin implementing job search strategies, exploring available employment services and, of course, training options. Employees and employers can implement an adjustment plan

which might include identifying skill shortages among affected employees and providing counselling.

1010

Government can activate programs to assist in worker and community adjustment, possibly through needs assessment, skill inventories, employment services, counselling and training. Governments and communities are given time to plan for decreased revenues and simultaneous increases in public expenditures. With advance notice, timely adjustment and appropriate support levels, workers may be less likely to have to rely on unemployment insurance for lengthy periods, and the stigmatization associated with being jobless might be reduced.

Notification legislation emphasizes the notion of corporate responsibility towards the workforce in case of downsizing. By complying, firms can enhance their image as responsible employers. To give advance notice of termination is in principle a cost-free obligation to the employer who complies with this legislation. This advance notice becomes a key component for an exploration of alternatives or for co-ordinating successful adjustment programs.

Advance notice legislation currently sets the lower threshold for mass termination at 50 employees. In small communities and single-industry towns, and in the case of overall deteriorating labour market conditions, terminated employees, especially those affected by closures involving less than 50 employees, can face the same difficulties of finding a new job as other workers involved in layoffs of 50 or more employees. It is for this reason that I promise a lowering of the threshold from 50 or more employees to 10 or more employees.

As I stated earlier, the purpose is not to penalize firms and cause more hardship. If the employer complies with the legislation, no money is paid out. The intent of this change is to allow more time for adjustment or alternatives.

These amendments were being looked at by the Ministry of Labour after holding meetings with labour, business and community groups in February and March of this year. They found that the current statutory projections are limited in scope; specifically, that the notice requirements are insufficient to allow workers to plan for this job loss and providers of adjustment services to implement them in a timely fashion.

The current legislation falls short of what is required of employers in the provinces of Quebec, New Brunswick and Nova Scotia, as well as the Yukon and the Northwest Territories, with respect to the threshold limits for mass layoff notification. It is obvious that the previous government showed a complete lack of regard for the plight of displaced workers by not addressing these inadequacies and that it did not consult properly. Unfortunately, workers are finding out how limited the legislation is at a time when progressive notification requirements would have been most beneficial. The lack of more advance notice is causing hardship for workers and their families because the minimum established by the previous government was so inadequate. Too many employees are excluded because of the poorly established threshold limits and also the lack of sufficient notice needed for proper adjustment.

This bill will bring us more in tune with some of the western European legislation that has created the most responsible adjustment programs in the world. I am confident that my colleagues will join me in supporting this very important legislation. Hopefully the members from the official opposition and the third party will also see fit to ensure that displaced workers will get the best job protection available anywhere in Canada.

Mr Offer: Let me say what a pleasure it is for me to join in the debate on the bill put forward by the honourable member for Windsor-Sandwich.

I am going to talk about a number of different aspects of this particular legislation, but at the outset I want to say I am a little concerned about the way in which the honourable member made his opening comments, because I believe they were founded on acrimony. I believe they were founded on an "us and them" type of camp. I do not know that this is necessarily correct. I do not know if this is necessarily the best way to achieve the type of protection that all members of this Legislature always work towards. None the less, that is certainly the way in which the member put forward this particular matter. He spoke not necessarily to the substance of the particular legislation. I think of three areas where the member spoke about the acrimony between labour on one hand and management on the other. He spoke about the difficulties between the government which he represents and the federal government and spoke also, and I took specific note of that, about a lack of consultation by the previous government, of which I was a member, with the labour sector.

The whole basis for this legislation that the member put forward is one that is based on conflict, an "us and them" type of camp—"If you're not with us, then you're against us"—a finger-pointing type of exercise, that the cause of all of the problems in this province in terms of job loss is the federal government and its fiscal and monetary policies. I do not think the people in this province and the 250,000 who lost their jobs in the last year really do take great solace in the fact that one member of this Legislature stands up and says, "I am not for the federal government everything would be fine." I do not believe that helps people at all.

Far be it from me to defend the actions of the federal government. I find them to be lacking, wanting, in many areas. But I do not think it is always the most responsible tack to take that no matter what the ills of this province are, they are always the fault of the federal government. I believe it certainly does take a substantial share in that, but I think there are a lot of people who might say the same about this provincial government, that indeed this government too must be concerned about what it has done in the area of job creation in this, the worst recession—I believe the Treasurer has stated—since the 1930s. In the last year 250,000 jobs have been lost and bankruptcies are up in the area of 80%. There is a certain malaise which is affecting so many people in this province and the Treasurer has just recently announced a budget which carries with it a deficit of almost \$10 billion.

Many people in this province are now saying: "Where am I in that budget? I don't see my interest being acknowledged in the budget, being advanced in the budget. I don't

one single job being created in the budget." They are not saying that is because of the federal government; they are saying that was a provincial budget, a provincial budget which does not create one single new job at a time when, in the words of the Treasurer, we are going through the worst recession since the 1930s.

By way of opening comment, I say that to bring forward this type of legislation in a way which says everyone belongs in one camp or another—"You are either in the labour camp or in the management camp, you are either for the federal government or against it, you are either for the provincial government or you are against it"—really does not serve people's best interests. It really does not promote the economic well-being and viability of the province and its future. It really does not send out a message that there is the need for consultation, that generally people do not want to be looked upon as being on one side or the other, that they do not really feel they are on one side or the other, that they do not really take much satisfaction in finger-pointing, in saying, "Gee, we're perfect except for the other guy," or some other type of area. That does not help when people are out of work.

I hoped the government would have put an awful lot more emphasis on the issue of job creation, on getting to show we can create real, permanent, good jobs in this province which will, in a very fundamental way, provide the basis for continued growth in our economy. But that is not here and that, I must say, has not been the action of the government to date.

020

Having made those opening comments, what does the bill do? I have read the bill, and basically it talks about calling for substantial increases in the notice period compared to the existing legislation, it talks about recommending a slight change in the posting procedure and it talks about removing the right for employers to refuse notice to employees hired for a definite term; ie, contract employees.

I guess all of our concern and attention today is probably going to be on the whole issue of the notice provision. The member spoke about how he sees himself and his party as the holders of all that is good and virtuous and moral in terms of workers' protection. He seems to have forgotten that the severance and notice provisions which we, the previous government, put into the Employment Standards Act were the most comprehensive and generous in all of North America. That is not to say that more work cannot be done in that area, but I think that instead of making this acrimonious type of position the member has taken, we have to say:

"Yes, good work has been done in the past. The enhancements, the provisions, the rights, the entitlements under the Employment Standards Act in terms of severance and notice provisions have been introduced by previous governments and yes, we have to continue to look at ways in which we can continue on in the work, if not in this area, then in occupational health and safety and a variety of other areas."

But the member just seems to put forward—I will say confusing as opposed to misleading, because misleading might not be terribly proper—certainly a confusing type of

message. All governments have worked in terms of the Employment Standards Act. All governments have looked towards enhancing notice and severance provisions for employees. All governments have done that.

One of the things I think the member should be very concerned about is consultation. I hear two messages in terms of consultation in this province. One message which is heard in this Legislature, mainly from the Minister of Labour, is that they are conducting consultation extensively, broadly, with a variety of people across this province. It sounds very good in this Legislature, I must say, and probably there have been speeches to that effect. But the interesting thing is that when I go outside this Legislature and speak to a variety of people whom I thought would be the subject matter of the consultation, they are saying something very different. They are saying that there is not any consultation, that their views, their thoughts, their opinions, not only on labour-related matters but in the social service area, to name one other, are not being asked for and they are not even being approached. That is something that is of concern to very many people outside this Legislature.

If the government hopes to have legislation, of whatever nature and kind, that it believes is right and hopes to have some sort of approval, it must be based on real consultation. I will share two areas. The Minister of Community and Social Services, in terms of her area, and the Minister of Labour, in his, are falling very short of any type of consultation. I did not even use the word "meaningful," because I am talking to people all across this province who are saying there is not any consultation. They cannot get in the door. They cannot even share their opinion.

Before one ever brings forward legislation of this kind, it must be based on consultation. We have to have a very strong appreciation for the impact that this bill will have on small business. Small business creates more new jobs in this province than anything else. What does this bill do to small business? How is small business able, when one talks of a reduction to a level of 10 persons, to plan, to project for the future? What does it mean? What message does it send out? What does it do to the ability of small business not only to continue to exist but also to be formed in this province and, of major importance, to continue to be the job creator that it has been in the past?

This bill and the opening comments of the member just do not address those concerns. I think it is absolutely essential that before any particular bill of this nature is approved, we have to hear from small business just as one aspect—what it means to it, what it means to its being able to continue in this province, how this will impact on its being able to grow and create jobs in this province. As such, I think this bill is premature in the extreme.

I also believe we have to take a look at what the government has done in terms of listening to those people who might be affected by this particular piece of legislation. I do not focus just on management; I also bring into issue labour. What type of consultation has been done prior to this bill being introduced in listening to how these types of proposals would impact on both management and labour? What does this mean in terms of accelerating closures?

What does this mean in terms of creating new business, in terms of creating new jobs, in terms of building a foundation for the economic growth of this province of which we will all be the beneficiaries? This bill and the member's opening comments are silent on that aspect.

I am very concerned about a bill of this nature. I am concerned because the process by which it was formed leaves out so much. We leave out discussion and consultation with small business, with management, with labour. Before any bill of this nature can be approved, even in principle as we discuss here today, there must be the foundation of good, open, broad consultation. That has not happened in this bill, it has not happened with the Minister of Labour in all of his stated intentions, and certainly the Minister of Community and Social Services is following in the footsteps of no consultation. As such, I do not support this legislation.

1030

Mrs Witmer: I am pleased to have the opportunity this morning to join in the debate on this bill of the member for Windsor-Sandwich. I would like to preface my remarks by indicating that I appreciate the very sincere and very good intentions of the member in making sure the workers in this province are protected. However, I would also like to point out that although there are some cases where management perhaps does not treat employees fairly, I do believe that on the whole every attempt is made to deal with the individuals as fairly as possible.

I believe this legislation in the end will be very harmful to the economic climate of this province. I do support the fact that there does need to be reasonable protection for workers. However, I do not believe this piece of legislation does protect workers. I do not believe it will protect their jobs. In fact, I feel it could have a very serious impact and I feel it could discourage job creation and job retention in this province.

What is going to happen under this bill is that it is going to increase the notice of termination in the Employment Standards Act. Instead of having to give eight or 12 weeks' notice, now if you have less than 200 employees you are going to have to provide 26 weeks' notice, and if you have more than 200 employees, instead of giving them 16 weeks' notice, you are going to have to give them 52 weeks' or a year's notice. I have a lot of concern about the changes being suggested here.

I would also like to indicate I understand that what is being suggested here has been taken from An Agenda for People under the title "Job Protection." An Agenda for People promised "improving the severance and notice provisions of the Employment Standards Act to increase the protection of workers facing layoffs with lower worker threshold, a lower years-of-service threshold and an extended notice period."

Bill 116 deals with the notice of termination element of the Premier's election promise. However, I am concerned because this bill and the changes contemplated here today are unprecedented in any other North American jurisdiction and, as has been pointed out by the member, although

they are part of the western Europe countries they are nowhere a part of any jurisdiction in North America.

It is going to represent a very substantial change, particularly for the small business sector, and I would have to ask the question, at a time of recession, can we afford this type of legislation? I believe it is going to have a very serious impact on the retention of jobs and the creation of new ones; we have to remember those new jobs are created by small business and this certainly does not provide any incentive to create those new jobs.

Another change in this act is the fact that before employers with less than 50 employees were not covered by regulation 286; now all businesses in this province, no matter how small, are going to be covered. This is going to have a very dramatic effect on employers who are struggling during the recession. It is going to force some businesses into premature insolvency because of the increased exposure to a termination pay liability.

I am going to give an example. There is a company that has 40 employees. They have to lay off half their staff because of declining sales or the bankruptcy of one of their main customers. Unfortunately, in these tough economic times, they were unable to give 26 weeks' notice, as is suggested here, because they had no way of anticipating that the other firm, upon whom they depended as a customer, was going to go bankrupt. The termination pay liability of six months' wages for each employee could force this second company into bankruptcy because 20 long-serving employees who earn \$500 a week would cost \$260,000.

If the second company goes into receivership and is unable to meet its wage, vacation pay, termination and severance pay obligations, then under the terms of Bill 70 the new employee wage protection program would be liable for this \$260,000 in termination pay. Who is going to pay for that? The Ontario taxpayers.

Unfortunately, I believe this bill is punitive in nature. I believe it is going to further erode investor confidence. I believe it is going to discourage job creation and investment in Ontario.

I had a call yesterday from a businessman who was in the process of making an important decision. He had heard about this bill that was being discussed this morning and he was concerned about it. The very fact that this legislation was being considered was a factor he was taking into account this week in deciding whether he was going to close his business.

I do not know what decision he is going to make ultimately, but I would like to point out that business is very concerned about some of the initiatives that the government is taking at the present time. They do not feel they are being understood and they feel they are being treated in a very punitive manner.

There needs to be more consultation, real consultation. I believe the views of labour and management both need to be considered in the final pieces of legislation that are brought before this House. Only in this way are we going to have a healthy economy in this province, one that is going to provide well-paying and secure jobs for all the workers. We need to be concentrating on providing them

with jobs and saving the jobs they have, and that is not what we are doing; we seem to be spending our time and effort on dealing with the layoffs.

I also want to point out that the length of the notice period needs to be examined. How realistic is it that a company can plan a plant closure one year ahead? How many of us know what is going to happen in our lives one year ahead? None of us. This bill is based on the erroneous assumption that a business goes bankrupt and knows about it a year in advance. Unfortunately, as I have pointed out, this is not always so. Businesses often collapse because of circumstances beyond their control and often quite suddenly.

I have talked about losing a major customer who goes bankrupt. Think about the government taxes in the policy. Consider the role of the workers and the changing nature of the marketplace. These are all factors that contribute to bankruptcy and, unfortunately, bankruptcy can happen very quickly and you cannot plan for it a year ahead. If that plant closure was due to financial distress, a year's notice would only send the creditors in to recover what they could from the remaining assets. Bill 70 in its original form prevented workouts of Ontario corporations, with the result that jobs that might have been saved have been lost.

Bill 116 is going to have the same negative effect on efforts of companies to reorganize a firm to save jobs. Now if a company with 200 employees did not give a year's notice, the termination pay liability could be \$5.2 million, assuming the employees earned \$500 a week and had eight years of service. Bill 70 is going to expose the Treasury to this termination pay liability of \$5.2 million. I ask you, can we in Ontario afford this at the present time? Can the taxpayers afford it?

The liability exposure is so large that a company with 199 employees would be hesitant before hiring any more employees because one extra person, under this new legislation, would mean that the notice period is going to go from six months to one year. It is not going to encourage the expansion of any business or industry.

The budget has already predicted that an additional 184,000 jobs are going to be lost this year. I sympathize with the men and women who are going to lose those jobs. The negative signal sent out by the \$9.7-billion deficit is already affecting investment decisions by Ontario businesses and, unfortunately, it is also contributing to the loss of potential new jobs.

To add these punitive labour law changes at this time, at the height of a recession, is only going to exacerbate the negative impact of the budget. We in this province simply cannot afford to lose one more job. We have to start creating an investment climate for business that is going to encourage the private sector to create jobs so Ontario can finally come out of this recession. Changes to the Employment Standards Act, as outlined in Bill 116, are going to have exactly the opposite effect. They will create a very powerful disincentive to doing business in this province. They are going to restrict new employment opportunities for the men and women in this province.

The workers in this province do not need more legislation that is going to cost them their present and future jobs.

They need a government that is going to encourage job creation and retention, a government that is going to work with the business community, a government that will consult and take into serious consideration the views of all individuals, whether business, labour, management or whatever, and incorporate them into the final policy. They need a government that is going to provide a good economic climate for investment, provide incentives for business and encourage them once again to look at Ontario as a place for investment.

Unfortunately, we believe Bill 116, if passed, is going to cost this province present jobs and future jobs, and we will be unable to support it today for that reason.

1040

Mr Hope: It is my pleasure to stand here today as the sun starts to shine upon Queen's Park and the workers of this province start to be recognized and a foundation is being built.

I could not understand the comments that were being raised about there being no consultation. I reflect back on the five years of my time as a labour leader. I could be a little bit modest here and say there has been three years, but I know it is closer to five years, of consultation that has taken place on this piece of legislation because, as a worker representative, one of the key factors we tried to get across was notification.

We talk about a foundation. Let me tell the members this is a stronger foundation than the pyramids that the Egyptians built. This is a foundation that will build this province into making it what it should be. I want to explain why, because we have heard the negative points of view, and I would like to reflect the positive point of view because there are so many positive views in this piece of legislation.

To the member for Windsor-Sandwich, I say I am a little jealous. He had the opportunity to introduce this legislation before I did, because he comes from Windsor, where there is a large labour market that is losing jobs. We have waited too long for this. It is good to see, and I will not hold it against him; he has my 100% support on this bill, because it is something we have been looking for for a long time.

This bill will require companies to give employees longer termination notice. That will give employees the time to do an analysis and to find alternative employment or, more positively, to sit down with the companies and discuss the possibilities of being laid off. We talk in this government of bringing labour and management together. One of the problems has always been that one has not trusted the other. I do not want to point fingers—do not get me wrong here—but the government has to admit to some of that; it has created this confrontation.

This is a foundation because, as workers go up to a plant, walk in one morning and look up on the plant bulletin board, what do they see? A layoff notice. A lot of these people work and live from week to week on their paycheques. I could say they could depend on their savings account, but they never had a savings account. Most of us do not even know what a savings account is.

Let me explain why it is a foundation. As people are receiving notification of termination and do not know if they are coming back—this is not a temporary layoff, this is a layoff; they do not know if they are coming back—one of the things they are really focusing on is that it will give them the opportunity to sit down and discuss with management whether it is because of the marketplace or it is because of machinery. It is going to give them the ability to sit down and discuss with management the possibilities and alternative routes other than being terminated, which gives better planning for the company. It is a very positive foundation. Not all the time are you able to sit down and have a conversation without choosing sides.

But there is a conversation that will take place dealing with the family and preparing themselves because, as I indicated a little earlier, most of them live week to week on their paycheques. If they look up on the bulletin board and they are over a certain limit, they are entitled to 52 weeks. That gives that individual one year to plan his life, whether it be while he is currently still working to go and get more education, increase his education and maybe look at a skilled job—there is so much possibility here.

There is a ray of hope for Queen's Park; I must add that. When I start to look at this legislation, we must take it in the context that it is a very positive piece of legislation. The limitations that are in this legislation is a foundation that I feel is very positive. As I look a lot at the brothers and sisters who are out there, who do not know from one day to the next because—and everybody says, "Don't point fingers." Well, I must point fingers because of the content legislation we lost in the auto pact. We lost it because of the Mulroney brainstorm trade deal that was there.

Mr Kormos: Some brainstorm.

Mr Dadamo: Yes. It was a storm. It was like lightning that came down and hit the people. Because of that, workers need protection. They need an opportunity to expand their horizons. If they know there are no possibilities of diverting the layoff or the termination, they can, through the 52 weeks, go to community colleges—excellent education, I must add—and expand their horizons.

I know that other members of my caucus would like speak, which will reflect this province's concerns on this piece of legislation. The member for Windsor-Sandwich does not have to worry about my support. As I indicated earlier, I am very jealous that he got to to introduce it before I did, but he has my 100% support on this piece of legislation, and I encourage all members to take a closer at it, to quit doing the division of labour and management but to look it at in a more positive way as a foundation that builds this province.

1050

Mr Martin: This morning I would just like to make two points on this very important issue. They come under an examination of the climate within which business is done today in Ontario and the climate and the environment within which people work today. I would like to speak on how that impacts both on the worker and on business itself.

I think in front of this legislation we must understand that in today's work-a-day world none of us is ever more than a paycheque away from poverty, from not being able to pay the bills. The economic environment that faces the working person each day that he gets up and goes to his job is that if for one reason or another he loses his job or is without work, his family is then thrown almost automatically into a position of poverty because of the debt load that many of us in Ontario have been forced to accept in order to have a home to house our family, in order to be able to provide the transportation that we need to get to the things that we all take for granted as part of our quality of life and in order to be able to put food on our tables.

I think it is in light of this fact, the fact that we who are workers in our communities need to plan long in advance for any change in the economic situation in which we live, that this legislation makes a whole lot of sense. Not only does business out there have to plan in creative and ever more futuristic ways, but we, as people who work in our communities, who have families to support, who want to be constructive, contributing members of society, have to plan as well. It is difficult for us to plan if we do not know well in advance those things that significantly change any plans that we might have, so I support this legislation this morning in light of that.

The other thing I would like to comment on and challenge the members opposite and my own colleagues to reflect on is the fact that also in this day and age, businesses are more and more beginning to be able to make plans well in advance. They are being asked to put together business plans that speak to one-, two- and three-year, and oftentimes five- and 10-year, projections and plans. They know, more than ever before, well in advance what the future holds for them, they know what the economic climate is, they know what is coming down the pike. Certainly if they are experiencing some difficulties, if they are beginning to have some problems in any part of their operation, the banks are on their case to let them know if there are problems.

There is no real argument that they can present to us that they do not know, that the time we are talking about here in terms of notice to workers is too long. There is no argument in today's world. Businesses are well aware of what is coming. They are being told by their creditors what is coming, and just as they consider those folks in any decision they make, all we are asking today in this legislation is that they consider the workers as well.

Mrs Fawcett: Madam Speaker, could I have unanimous consent to use the two minutes and the few seconds remaining from the third party?

The Acting Speaker (Mrs Haslam): Is there unanimous consent?

Agreed to.

Mrs Fawcett: I appreciate my colleagues giving me the opportunity to place a few remarks on the record because I would like to reflect some of the concerns that many of the constituents have expressed to me regarding the NDP government's total disregard for small business and the manufacturing sector of the economy.

This government does seem to be fixated on job compensation rather than job creation, and certainly in the county of Northumberland we are experiencing the highest levels of unemployment in eastern Ontario. The latest data indicate that it really is over 15% right now and has been for some time. Coupled with that, over 2% of the entire population of Northumberland is on welfare, so the members can see that we are looking for some type of relief from this government in the form of new permanent jobs.

I look in vain to find anything in this type of legislation that would encourage manufacturing or small business to set up shop in Ontario, let alone Northumberland. Certainly the member for Windsor-Sandwich has not consulted with those industries from my riding. Really, if he or any member of his socialist government had talked to Frankie Liberty of the Diamond Triangle Economic Commission, he would have found out that this type of labour reform is a disincentive to manufacturers and small businesses.

The member may be trying to enact the legislation because he knows full well that his government is really driving business out of the province and wants to ensure that an employee's last paycheque is a good one, but I say that the employees in my riding want a paycheque, not a severance cheque. I really have a great deal of trouble trying to find solace in this type of legislation, so I do not feel that I can support it at this time.

Mr Kormos: I appreciate this chance to rise here in the back benches, among the Ws, to speak on this. Madam Speaker knows this, and the other members: Thursday morning is probably one of the most interesting times in the House, because what happens Thursday morning, as compared to what oftentimes does not happen during the rest of the sitting week, is that private members' business is dealt with.

What we are dealing with here, Bill 116, is a piece of legislation, amendments to the Employment Standards Act, which was authored by the member for Windsor-Sandwich. Every member of this Legislature can, as of right, present bills. Members know that. That is our right, and it is an unfettered right. But what is important is that Thursday mornings are reserved so that those bills which are presented are debated at the instance of the author.

Windsor-Sandwich can be very proud of its member of the provincial Parliament. Since the member's election on 5 September, he has been tireless—and I say this as somebody who has been here for a few years longer than he has been—not just in his pursuit of resolutions for issues that impact on Windsor-Sandwich very specifically, and I suppose that is the job of each and every one of us, but there is nobody in this Legislature who does it more aggressively. In my opinion, there is nobody in this Legislature who does it as effectively as the member does for his riding.

So he comes here with a lot of talent, a lot of insight, but his efforts are not restricted to issues that are isolated or situated solely in Windsor-Sandwich. The member comes here with a strong background; he comes here with a social conscience. What more valuable trait could one expect for an MPP.

What we are talking about here is people and families and lives. We are not talking hypothetically; we do not

have to. We can talk about factories. Down where I come from in Welland-Thorold, down in the heart of the Niagara Peninsula, we can talk about factories like Welmet. The folks down there know what Welmet was. It was a long-time industry, had been in Welland for decades and decades, and then it was gone, and those hundreds of people who had really intended to spend their working lives there and had made that commitment to Welmet, and their families and their children, were left in the lurch.

We can talk about Wabasso cotton down in the city of Welland where, once again, hundreds of employees had made a commitment. They were prepared to spend the rest of their working lives producing for Wabasso, but then Wabasso was gone and those hundreds of workers, those women and men who had made their commitment to Wabasso, were betrayed as well, and their families, their children or their grandchildren are left hanging in the wind.

We do not have to talk about hypotheticals; we are talking here about plant shutdowns. We are talking about a legacy of plant shutdowns that occurred not during the life of this government; we are talking about a legacy of plant shutdowns that occurred during the Liberal government that preceded this one for five years and during the Tory governments that preceded it. It is those previous regimes that generated the shutdowns. It is those previous regimes that generated the economic disaster that this government is attempting to cope with now.

Rather than fear-monger, as the Liberal critics and Tory critics have attempted to do, let's think about the lives and let's think about the human element. Let's think about the motivation of the member for Windsor-Sandwich for presenting this legislation. His motivation is to protect those workers and their families from the cruelty of arbitrary and, quite frankly, spur-of-the-moment plant shutdowns. Any caring person would support this legislation, Madam Speaker, as I know you do.

1100

Mr Dadamo: I would like to thank my colleagues for the eloquent words that they used this morning. Thank you to the members for Welland-Thorold, Sault Ste Marie and, of course, my dear friend from Chatham-Kent. As well I would like to thank the members for any of the comments from the opposition side this morning, as long-winded as sometimes they may have been. I just want to stress that if this goes on for committee work or for consultation further in the province, the sky will not fall and the sun will come out tomorrow and we will be fine.

I would also urge opposition members who are critical of Bill 116 to maybe come to Windsor some time and experience and see at first hand the 16%, 17%, 18%, 19% and 20% unemployment rate, all the plants that have closed in the city of Windsor and in all the area ridings in the last year and a half and two years, and the thousands of people who have been thrown out of work.

I put my hand out to Kenny Maheux, who is president of CAW Local 195 in Windsor, who has worked tirelessly endless hours, along with his executive, in the painstaking course that they have taken to try to put people back to

work. Notice at 3 o'clock in the afternoon when the people walk in and their plants are closed.

Corporations in this province, little or large, know when they are going to make money. They also know when they are not going to make money, and they know when they are not going to make money well in advance. They should tell employees of this province that their plant is about to close. It is only the right thing to do, and sometimes we forget there are thousands of children in this province who are affected as well. I urge all members to support Bill 116.

GOVERNMENT SPENDING

Mr Carr: Madam Speaker, Mr Stockwell is late arriving. He was actually speaking about this point last night up in Thunder Bay and his plane was supposed to arrive, so obviously there has been a problem. I would like to have unanimous consent to begin the debate and then have Mr Stockwell finish up later on.

The Acting Speaker (Mrs Haslam): Is there unanimous consent?

Agreed to.

The Acting Speaker: The member for Oakville South will now move the resolution in his absence.

Mr Carr, on behalf of Mr Stockwell, moved resolution 17:

That in the opinion of this House, recognizing that the tax, borrow and spend policies of the government are undermining Ontario's economic competitiveness, discouraging investment, exacerbating the problem of cross-border shopping and that these policies will burden this and future generations of taxpayers with a massive debt, this House therefore calls upon the government to immediately introduce legislation: (1) to impose a 2% cap on wage increases in the broader public sector in Ontario for a one-year period, (2) to establish a budget stabilization fund to be financed through the allocation of any in-year revenue windfalls, (3) to hold its own direct operating expenditures at last year's levels, (4) to implement a program freeze.

Mr Carr: I am pleased to be able to speak on behalf of my colleague for Etobicoke.

I guess what we have here in this province is a continuation of the old and decidedly failed policies of the last government, the one that carried on the tax-and-spend approach that has been such a failure. In fact, over the last little while, the previous government had a 132% increase in taxes in this province and we, as we sit here today, are now not only the highest-taxed province in Canada but we are now the highest-taxed jurisdiction in all of North America.

In the past, we used to have a 10% advantage over Quebec. After 32 tax increases by the previous government, we are now the highest-taxed province in all of Canada. Yet the worst part is that the quality of our public service continues to decline.

When the last government came in, when the Liberal government took over from the Conservatives, they said, "We care more about people so we are going to spend more money on social programs and more programs for social assistance." Then in comes the NDP government

and it says, "No, we care more about people so we are going to spend more."

But I say that the people of this province do not want more money spent. The people who are on social assistance, whether it be a single mother or a middle-aged man who has just lost his job, do not want social assistance. What they want is jobs. They want to get back into the workforce and get off social assistance.

So instead of saying, "We spend more. We care more so we spend more on it," I think most people in this province would believe that what we should be doing is seeing the amount and number of people we can get off social assistance. As for the amount of money spent on social assistance, we would be successful if we reduced it, not increased it, and we could do that by getting people jobs through training, retraining and apprenticeship programs.

As we sit here today, the big problem between this government and the ideas of the Progressive Conservatives is that it does not matter today how much we spend but it is where we spend the money that counts. If we can reduce some of the spending on social assistance programs and get people off social assistance, that is what people are looking for.

The last government spent more on the environment, they increased the amount that was spent, and yet the quality of the environment continued to deteriorate. They spent more on health care, they doubled the amount on health care, and yet we had waiting lists in this province under their regime, not only waiting lists for elective surgery but for life-saving heart surgery as well. When it came to education, they spent more and still the quality continues to decline.

All we have done over the last little while is replace one big, high-taxing government that spent and was beholden to special interest groups with another high-taxing big-spending government that is beholden to special interest groups. That is not what the public of this province want.

It is interesting to note, and I will reflect on it a little bit, that a polling company did a poll and during that period of time they asked people—and I will paraphrase it because the question they asked is fairly long—"Basically do you think your taxes are being spent properly?" The overwhelming majority, close to about 80%, said they were not. They honestly, truly believe in this province that we are not spending wisely.

There was another question asked: "Do you agree that they should limit increases in government spending in the budget that is coming down in the province of Ontario?" Fully 79% said that they should, that we should not spend more.

They actually asked the question of what party one supported and NDP supporters were right up there with everybody else saying that we should not spend more. The NDP supporters who helped elect this government, who said they voted for them, are the ones who said we should not spend more.

It is kind of ironic that in the throne speech, on the very first page, this government said it is a government that will listen to the people and respond to their needs to the best

of its ability. They heard from the people—Conservatives, Liberal, NDP, non-aligned people—who said, “We do not need more spending.” What do they do? A 13.4% increase, a \$10-billion deficit.

Let’s put that \$10 billion into perspective. In the amount of time that we will spend here this morning, the two hours from 10 until noon, by the end of this mandate we will be spending \$2 million—\$1 million an hour or about \$15,000 per minute; \$1 million an hour, 24 hours a day, seven days a week, 365 days of the year—not to pay for health care, not to pay for the environment or social programs, but just to pay the interest on the provincial debt alone.

1110

What we need in this province is a comprehensive review to eliminate waste. During the last period of time we have identified some of the abuses that are out there, the wastes that are out there. We heard, during some of the questions earlier on in this Parliament, of the amount that was spent on speeches. The previous Premier, Mr. Peterson, spent I believe in the neighbourhood of \$7,000 just to have his speech written for him for Meech Lake when he was meeting with the other premiers. We heard as early as yesterday about the 17 letters sent to the same individual company, and we have the chairman of TVOntario who has nine TVs in his office.

In 1985 virtually 80% of the housing units built in this province were built by the private sector. Today it is completely reversed—80% are built by the public sector and only 10% by the private sector. What this government has done is thrown out the private sector, scared off the private sector in housing, scared it with its labour legislation.

What we need, as this motion says, is to take a look at a cap in spending programs and a program freeze as is advocated in point 4. I would ask any of the members to take a look at the estimates book in connection with point 1 which would impose a 2% cap on wage increases. The salaries that are listed in the estimates book are broken down by salaries and wages, in every ministry. One of the largest portions of spending is salaries and wages. You look through it and you see the percentages, you see the amount that is spent.

We are saying that in this day and age, when businesses, households and families have to control spending, they expect from this government that it will do the same thing. In a day and age when most people in this province are fearful for their jobs, and our previous debate was about jobs in this province—whether they are at the low end of the scale, whether they are workers in factories, whether they are management, whether they are clerks, everybody in this province is fearful for his or her job except for the public service because they know they are safe—what we are saying is that those people who have secure jobs at this tough economic time should be able to give a little bit.

For a party that historically has prided itself on being socialists and giving for the good of everyone, we say the public service should at this time be able to take a cap freeze because their jobs are secure. They know six months from now they are going to have a job. The workers at

General Motors do not. The workers at the Ford motor plant in my riding do not know if they will have a job, but the public sector does, so they therefore are the ones who should be able to accept the 2% cap.

What we need to do, and what we should have done, is during the good times be able to build up surpluses. But what happened with the previous governments? They not only taxed us with 132% increase but do you know what they did with the money? They spent every last cent of it and then some, because they even ran up the debt totally, too. They spent every last cent—the highest-taxed jurisdiction in all North America and they went out and spent everything. Yet when we sat here under their regime, the environment declined, there were waiting lists at hospitals, the quality of our education declined, and in all the fundamental facts and programs in this province, through all that, the quality of our public service continued to deteriorate. That, I think, is the sad part.

What we need to do, what we need to reflect on and what the people are saying out there—and very clearly, as this poll indicated—is that they do not believe the government is spending their tax dollars wisely. They believe there should be some controls. We need to have some reviews on these programs. These programs need to be reviewed in this day and age when businesses have to take a hard look at where their money is spent, when workers have had to be more efficient in their operations, when households have had to look at the cost of everything and where they are spending money and what money is going to go into the kids. Everything is being reviewed except in the public sector, except in the province of Ontario where tax-and-spend continues on like there is no tomorrow, like the money will never end.

So this particular motion was, I think, on behalf of the vast majority of the people in this province who are saying: “Get control of spending. Get control of your spending in the province.” Hopefully this resolution will pass and the government will abide by the resolution that we are talking about today.

Those are a couple of comments and, as I said, I pass these on on behalf of my colleague who is coming in, having spoken on this last night.

Mr Huget: I am pleased to join the debate on the resolution put forward by the member for Oakville South on behalf of the member for Etobicoke West. Both members have some fairly strong views on this subject, but I know they will be fairminded enough to listen to a legitimate alternative.

The member’s resolution clearly illustrates the difference between his party’s view of what should be done in these tough times and the view of my government. In my opinion, it also seems to reflect a slash-and-burn mentality that his federal cousins have become famous for.

It is interesting to note that the federal government, in spite of its cutbacks and insensitivity to the needs of people, has made very little progress in controlling the deficit in this country and a lot of progress in increasing the hardship.

In my role as parliamentary assistant to the Minister of Energy, I am pleased to say that our ministry is working diligently at helping Ontario prepare for a bright future by

initiating programs in a number of areas, programs which cost money but programs which, we believe, are responsible and wise strategies, investments in the future.

Ontario has two hard realities to face. One is economic and one is environmental. Both are crucial and both are immediate. This government is committed to facing them both with equal determination. We have a genuine conviction that sustainable development is a common obligation, that our economy cannot thrive at the expense of the environment and that true prosperity must be durable. No truly thoughtful person and no truly responsible government can reject the idea that equal access to both prosperity and environmental security is a noble and achievable principle.

The people of Ontario deserve to share in a common wealth and that is precisely what this government will ensure. It means we are devoting enough technological muscle, scientific ingenuity and money to ensure that Ontario will have the most energy-efficient economy on the continent. The people of Ontario have faith in this government's energy strategy. It is a strategy that will make this province more self-sufficient, more prosperous and the North American leader in energy-efficient practices and technology.

I want to emphasize some of the energy commitments this government has made to the people of Ontario since last November, commitments which will help raise the confidence level in Ontario and make sound economic sense.

The provincial electrical utility, Ontario Hydro, will spend at least \$3 billion during the next 10 years on conservation and energy-efficiency programs. In an energy-efficiency pilot project in Espanola, the community's response for a call to participate has been overwhelmingly positive.

To make sure our own house is in order and to be fiscally responsible, we have made a commitment to reduce energy consumption in all government buildings by a minimum of 20%. To ensure that, we have initiated a comprehensive energy audit program to cover all 8,000 buildings. To date, more than 780 of those buildings have been audited.

Over the past few months, the Ministry of Energy has consulted industry, labour, education, business and environmental and community groups on nearly 200 policy initiatives the ministry is considering for implementation in the coming months.

Just last Friday, the Minister of Energy hosted a policy consultation session with 150 representatives from various sectors of the province. The large industries were there, the environmentalists were there, the commercial sector was there, the independent power producers were there, the educators were there and the municipalities were there.

The purpose of this session was to listen to the ideas of the people, to open up the policy creation process to as many Ontarians as possible and to form partnerships to meet the province's energy goals. The response to this consultation was overwhelmingly positive. Participants welcomed the opportunity to work with their government and they welcomed the opportunity to contribute to the energy future of their province.

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The Ministry of Energy also launched its new program initiatives last Friday. These initiatives are possible only through the financial support of the Treasury. This support clearly demonstrates the government's commitment to investing in Ontario's economic and environmental future through energy conservation and efficiency.

The Ministry of Energy now has \$10 million more to work with and it has already increased the number and scope of the programs it offers. The additional allocation of funds allows the Ministry of Energy to increase its energy-efficiency activities by almost 75% in the current fiscal year. These program initiatives will have the double blessing of putting the province on the cutting edge of competitiveness and of reducing greenhouse gas emissions dramatically.

These new and enhanced programs are inclusive. They are aimed at all parts of Ontario's society. They were developed through extensive consultation and they operate on the premise of a partnership with the people. As the ministry develops more programs, we will continue to listen to the voice of the people of Ontario. Through a combination of education, advocacy and incentives, discussions will continue about the best ways the government can work with the public to achieve the province's energy goals.

This week the Minister of Northern Development informed the House that the combined efforts of the Ministry of Energy, the Ministry of Northern Development and Mines, the Ministry of Natural Resources and Ontario Hydro, based on consultation with the north shore communities, has resulted in a \$250-million economic diversification and adjustment package for the people of Elliot Lake.

This government sees its action as responsible, as making good business sense, as laying the foundation for long-term economic stability in an area that has been dependent on Hydro for its livelihood. Again, we have listened to the people and have responded to their needs. In the past 10 years, Elliot Lake uranium has cost Ontario's electricity consumers \$1.2 billion more than if it had been purchased from other sources. The people of Ontario deserve a better deal and they will receive substantial savings from Hydro's new uranium arrangement.

This is only a sampling of the commitments this government is prepared to make to bring about prosperity and ecological security for this province. We make this commitment with the support of, and in partnership with, the people of Ontario.

We are confident that under the test of sustainable development our balanced commitment to economic security and environmental integrity will speak for itself. The leadership this government is showing on many difficult issues will help to ensure a better Ontario and will earn the confidence of all our citizens.

This government intends to continue investing in Ontario, in our communities, in our people and in our industries. It is a sound investment strategy and like all sound investments will pay off in the future. Cutting back now would only ensure that we are not prepared to benefit fully when this made-in-Canada recession comes to an end.

Mr McClelland: I found the previous presentation to be very interesting with respect to the energy policy of the government. I might add parenthetically that although I understand the link with respect to the motion before us this morning, I did not find it to be precisely on topic. But I do believe the energy policy of this government and any future government will be vital to the economic development of this province.

Indeed, I happen to believe personally that the Ministry of Energy will become one of the most important economic ministries in future governments, whatever political stripe they may be, in Ontario. I would not want to put it above another, but I would say that it would be on a level with such senior ministries as the Ministry of Industry, Trade and Technology in terms of economic portfolios and, perhaps with the exception of Treasury, it will be the number one economic ministry in the future.

I understand where the parliamentary assistant is coming from in terms of speaking about energy and trying to tie it, in very general terms, to the resolution before us today. So I appreciate those comments, although, in candour, I found it difficult to tie it specifically to the resolution and the four points that are set forth. But I understand in general terms how very vital energy is to the economic development and prosperity of this province. We will have another day or two, I am sure, to discuss the energy policies of the current government and how they relate to the economic future and prosperity of this province. I look forward to that opportunity.

We could turn our minds to the resolution before us for a short while right now. I want to address briefly the resolution presented by the member for Oakville South on behalf of his colleague the member for Etobicoke West.

He said that one of the fundamental bases of the resolution is the desire of the electorate and people of this province that government get its spending under control. I do not think anybody would disagree with that on this side of the House and I feel very strongly that it is a vital theme to be pursued.

President Abraham Lincoln said over 200 years ago that governments ought not to do what people can do, and society can do, for themselves. I think that ought to be fundamental to our concept as we look to the future and what government has to do to respond to the changing pressures on society. The demands on government are going to be so very complex and excessive over the next number of years that they will create pressures that will require the wisdom of Solomon to be a Treasurer or any senior minister in any government. To balance the desires, the needs and the pressures based on the limited resources available will indeed be a tremendous task ahead for the government of the day.

I want to comment a little bit about the specifics of the resolution. The general concept behind it, I think, is wise if we tie it to the theme of getting control of government spending, but I think it is ultimately too restrictive. Governments clearly have the responsibility or are charged with the responsibility of adapting to and being flexible to the changing needs around them. I would find it difficult for any government—and I suggest, with great respect,

that so would a Conservative government, and certainly the history of previous Conservative regimes indicates that—to change its spending patterns and positions based on the economy at the time.

We are clearly in a recessionary period right now in this province. I think the idea that the current government has about pumping money into the economy is laudable. I have considerable question and difficulty with where some of the money is going. I believe we now have an opportunity for charging the economy by building into the future of the economy, for example, land that is serviced and ready for future development and for the government to invest in capital expenditures that will be there for the future. Those are the kinds of things the government ought to be doing in recessionary times and focusing its energy to create jobs, to create opportunity and to get the economy kickstarted.

The rest of the country is slowly easing out of the recession. Ontario remains lagging behind. I think that is indicative of the fact that, I say with respect to my friends opposite, the huge deficit they have has provided them with an opportunity. I am completely against the concept of a deficit of that size and that magnitude. I think there are times that deficits are appropriate; I think they are the exception rather than the rule. But to set out and have a program or a plan that says, "For four years we're going to double the deficit of this province," I think is absolute folly.

I draw to members' attention again that it took 140 years for us to reach the current cumulative deficit in this province and they are going to double it in the projected life of their government. I find that just so remarkable, it is almost beyond comment. I think it is the height of absolute folly. It is going to mortgage our future and restrict whichever government is in power after the next election. Its options are going to be so very limited.

When they have hard times like they have now, they should look very carefully at where that money is going. I really believe they had an opportunity to kickstart the economy, to plug into infrastructure development and capital expenditure. That would really have done something positive and got men and women back to work. I think that opportunity has been missed.

I would say with respect to my friends in the Conservative Party who have put forward this resolution, I do not think they can say categorically that we are going to define what governments are going to do, as this resolution does. I think governments are required and have a responsibility to be flexible in terms of where their moneys are going to be spent. I find that problematic in the resolution that is before us.

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As for the imposition of wage increases in the broader public sector in Ontario for a one-year period—the 2%—I think a rate tied to inflation is reasonable. I think people ought to at least hold their own in tough times. Although I agree with the concept that we have to control the expenditure in the public sector, there is a sense of equity and fairness, that people ought to be given the opportunity to hold their own, if not have any advances. I would agree

that we all have to tighten our belts a little bit and the public sector is no exception. I think holding it at inflation is reasonable.

Item 3 on the resolution indicates that there would be a resolution to hold the government's direct operating expenditures at last year's levels. Again I find that somewhat restrictive. I do not know what the member for Etobicoke West, in drafting the resolution, meant by that. If he meant line-by-line, I would have difficulty. If he meant in global terms, I would agree with it conceptually and think that it is a valid point. I wish he were here to flesh that out a little bit, and upon his arrival he may be able to shed some light on that.

Again I say that governments need to be able to respond and have the flexibility that is required of them to change from time to time. Throughout the course of a budget fiscal year, things will change. That is why we have supplementary budgets and interim supply.

It is the responsibility of government. It is the responsibility that falls at a very difficult time on our friends opposite. I wish them well in these difficult times. I say again with respect to my friends in the Conservative Party, the member for Etobicoke West and our friend from Oakville South, that I understand where he is coming from on this, that getting control of spending is vital. It is absolutely essential.

In summary, the resolution as worded is much too restrictive in terms of the responsibilities and reality of government. I think it has to have that opportunity to be flexible and to adapt to changing needs and changing circumstances. We applaud the direction that this would take us, but I feel that on the specifics of the resolution, I could not in good conscience support this particular resolution.

The Acting Speaker: Are there any other members who wish to participate? The member for S-D-G & East Grenville.

Mr Villeneuve: Thank you very much, Madam Speaker. May I congratulate you on doing a masterful job this morning in opening the House for the first time in your capacity as the Acting Speaker.

I rise to strongly support the resolution of my colleague the member for Etobicoke West. As you know, I come from eastern Ontario and I have to put on the record a few of the problems we are having. Some of them are very much related to cross-border shopping, which is being addressed in this particular private member's motion in that at least the government should recognize there is a major problem and that the major catalyst bringing Ontarians to New York state or to whatever state it might be on some of these border points is the cost of fuel and the taxation of fuel here in Ontario. That is a very, very major problem. We are in effect going through a tax revolution. I believe the people of Ontario are in revolt and their revolt is being expressed by going to shop over in the US as opposed to shopping here in Ontario. That is very much a tax revolt.

We, I think, are fairly competitive, or have been reasonably competitive. The Tory task force that visited Ottawa and Cornwall several weeks ago made some important points, particularly when a tax consultant in Ottawa is suggesting to

businesses that a more appropriate and gentle climate for business would be found in Quebec as opposed to here in Ontario. We had a 10% tax advantage as residents of Ontario prior to 1985. We are now at a 5% disadvantage in comparison to the citizens of Quebec. Given that, with a foreseen budgetary deficit to total some \$35 billion by 1994, the climate for business can be nothing but negative and getting more negative. This is what my friend the member for Etobicoke West is addressing, and why he is attempting to get the government's attention.

I heard the parliamentary assistant to the Minister of Energy—and it is great to see the Minister of Energy here this morning—going to great lengths patting himself on the back, to the point where I was afraid he might break his arm. We hear the rhetoric that they want to clean the environment. We hear the rhetoric that they want to reduce the greenhouse effect.

We know that ethanol as an additive to our fuel would do exactly that. It is a renewable resource produced by our farmers, a product of distilled grain, and it would reduce by at least one third the greenhouse-effect emissions in today's petroleum products. This must be addressed in the near future. It could replace 10% of the fuel that we now use and would reduce the very harmful emissions that MMT is causing now.

Now back to eastern Ontario. In an attempt to get severances, and this is becoming more and more of a problem, we have seen the Ministry of Agriculture and Food opposing vehemently the construction of an arena on the outskirts of the city of Ottawa, an arena that would take up approximately 100 acres of land. The government of Ontario is spending more than \$1 million in attempting to fight and say to the owners of the new Ottawa hockey franchise, "You are not welcome in Ontario." They are effectively telling them, "Why don't you go elsewhere?"

If we keep on sending businesses to the United States or to the province of Quebec, I say in all sincerity, "Will the last one in Ontario please shut off the lights." That is what this government is doing. It is promoting entrepreneurship to go elsewhere. I am for ever and always fighting to get severances on some very marginal land out in rural Ontario where the municipality, the land owner—we have a willing purchaser, a willing vendor, and will be taking no agricultural land out of production at all. This is marginal land growing nothing but willows, shallow soil but because it happens to be in a so-called agricultural-designated area, they are saying no. The bureaucrats are driving by the properties, at best, and calling the shots from their ivory towers. No wonder lots are difficult to obtain and very expensive. They are artificially expensive because of the bureaucratic requirement.

Again, I am waiting from a call from Ministry of Agriculture and Food on several severances for which I, as a former real estate appraiser and as a farmer—I think I understand the problem to a good degree—am saying to the bureaucrats, "For goodness' sake, use common sense." In some instances they have looked at the wrong property and recommended that it not be allowed to have a store put on it, for example. That is terrible. It is happening under our eyes, with the last recourse being common sense. The

bureaucracy is applied. They apply everything except common sense, and I cannot accept that.

It is simply interfering with the normal course of business. I represent a large rural area, and no wonder our population is going down. The government in its so-called wisdom is discouraging the movement of people to these parts of Ontario where lots are affordable, where the quality of life is excellent, but where the bureaucrats, in their so-called wisdom, stand in the way of progress.

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This motion from my colleague the member for Etobicoke West is attempting to address this, the large deficit that is not only forecast but will inevitably occur, probably more than \$35 billion of additional total debt to the province of Ontario by 1994. We do not like to sound negative, but it is a very real problem being addressed. I hope this government will recognize that indeed it cannot continue interfering with business and hope that taxpayers will continue to pay taxes, because they are moving and looking to moving and looking to not setting up new companies and new businesses here in Ontario.

I am not being negative; I am simply replying to exactly what I hear out in the areas that I represent. I tell members, one week from today they will see some Bay Street folks here very concerned. Who pays the taxes and who provides employment? I ask this government, who does provide employment? It is not governments. Do members know who these people will protect? They will protect people without jobs. That is terrible. They are taking credit for that.

Before I antagonize them too much—I think I have their attention; I hope they listen. This is a most important private member's bill. Members saw fit to refuse and turn down my colleague the member for Cornwall's private member's bill two weeks ago. For goodness' sake, members should reconsider, recognize there is a problem and do something about it. They are the government.

Mr White: I would like to commend the member for Oakville South for his contribution. In fact, in deference to the member's gentler, kindlier presentation, I have had to temper my own remarks.

Our government believes in real investments in our provincial economy. To make our economy and to make us viable and competitive in the global economy of the 1990s and the 21st century, not only will we as a government be directly investing, but we will also be encouraging investments by individuals and groups—investments in their own skills and their own work and their own communities.

We do not hold some monolithic beliefs that only government intervention should be encouraged. We believe that we have a whole economy, a mixed economy. The resolution before us presumes that only private investments are to be cherished and to be nurtured and that the only way in which those investments can be made is by stripping bare the essential fabric of our provincial economy, the essential fabric of our communities.

The resolution presumes that only those investments are important, but we have a responsibility. We have a responsibility which is clear in our budget in terms of

economic investment. We also have a responsibility which is clear in terms of programs. Before us we have a serious situation. We have a situation where we have been frozen out by the federal government, where we, the industrial heartland of our country, are the only region which is not represented in terms of economic interest within the federal cabinet. Somehow we have been neglected, we have been frozen out.

The member's resolution would say we should stay frozen, but we as a provincial government have a profound sense of our responsibility to deal with the economic recession that is in front of us. We are doing that through investment in infrastructure. We are doing that through investment in skills training, in helping people and families deal with the effects of recession through some social spending. Those are important investments, because we need to ride out this time and beyond that we need a vision for the 21st century. The members opposite would have us frozen, unable to deal with these issues.

One issue I would tend to agree with them on is that of past spending habits. We have also been responsible economically, and we have been showing that day after day. Just yesterday we saw a bill introduced that would save us some \$4 million or \$5 million in the Ministry of Revenue. We have seen important, significant cuts in Health to trim expenses, to ensure the investments we make are proper investments and the most effective possible. We have also seen very significant efforts in Education and Revenue.

We are showing how we can be responsible. We are not embarking on the overspending endeavours during boom times as we have seen in the past with the previous government. We are saying instead that we have to be able to be flexible, to make significant investments in difficult times. This is the worst of all possible times to be freezing. This is a time when we should be investing. This is a time when governments, people and businesses should be making significant investments to the best of our potential in our provincial economy. If we did not, the programs we can only now invest in would be unavailable to us in the future because those jobs would be lost. Those companies that are shutting down now are not coming back. The investments we are making now have to be made now. There is no alternative.

I would like to summarize by simply saying that we are being responsible both economically and socially and that this the worst of all possible times to freeze. I would also like to mention to the member that I do not think most people in Ontario would say the public servants of this province—the teachers, the educators, the doctors, the nurses, the public officials—are delivering poor service. I would think the member might want to consider those remarks. Generally, most of his remarks I would commend, because I consider them to be coming from a genuine point of concern.

I would like to summarize simply by repeating that we are being responsible. We do not have alternatives if we wish to have a viable economy into the 21st century.

Mr Callahan: Having reviewed the resolution by my friend the member for Etobicoke West, I guess I could rise in the House and be very partisan and emphasize the fact

that prior to the government's budget, the Conservative government went from a \$7-billion deficit to a \$30-billion deficit. However, the NDP government is going to get into the Guinness Book of World Records because its deficit will even be greater.

Rather than be partisan, I would like to say that the big problem we have is that we run governments like it is our money. It is not; it is the taxpayers' money. They work hard for it, as was said. It is paid for not just by the workers but by every citizen of Ontario. We have to spend that money wisely and in a way that we would have to do if we were out in the business world or in the real world, or even in a home. We cannot just say, "Because I still have cheques left, I must have money in the bank." We have to approach it from the standpoint of using the money wisely, particularly in a time of recession such as we are going through now.

The recession is twice as bad in Ontario. The recovery time for Ontario is probably twice as long. We are losing jobs at a record rate. It is suggested that some 226,000 jobs may be lost in this province. Think about it. Just take it down to the simple fact if you were in your home and you were in tough times; surely to heaven you would not go into strong deficit financing, because it would wreak havoc on the confidence of the family. That is exactly what we are doing in this province: We are wreaking havoc on the confidence of the family of Ontarians.

Through this past budget, we have placed the equivalent of \$1,000 on every man, woman and child in this province in terms of debt. We have mortgaged the future of this province. People looking from the outside, from the United States and other foreign jurisdictions, have to be worried about that. They have to be worried that this is not a fiscally responsible way to approach it.

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Even though the Tories were the ones that created probably the largest deficit next to the one this government is creating, we do have to change our approach. I think that takes a collective effort on the part of all members of the Legislature. We can no longer simply respond to the groups that pressure us the most—an almost 6% increase for members of the public service, and pittances thrown to other people; \$1 billion in taxes increased through the budget—we have to look at it more responsibly and in a better way.

Finally, in the standing committee on public accounts we are receiving some very important information from the Donwood and Bellwood clinics, telling us that we can come up with better ways to deal with the question of drug and alcohol abuse and to deal with it effectively in this province and in a much more cost-effective way.

We are looking at taking a look at some of the facilities in the United States. But the Board of Internal Economy—I applaud it if the reason it took this approach was to try to have restraints on spending—would not allow us to even effectively carry out our mandate as the public accounts committee. So what are we doing? We are paying \$500,000 to send some unfortunate young person to the United States where we could deal with an issue, and much more effectively here in this province, for about \$7

million for the totality of people going to the Donwood or Bellwood clinics.

We require a reshuffling of money. It is not a question of taxing the taxpayers to death. What you do is you plan and reshuffle your money wisely. Some of the money now being spent in education perhaps could be spent more wisely in identifying young people with learning disabilities before they get to the point where they are asocial.

Some benefits could be given in the correctional system, rather than locking people up and passing legislation that may be politically sexy but providing no treatment or essentially very little treatment for people with drug and alcohol problems in our correctional system and simply having them in the revolving-door syndrome, coming back out equally as bad as when they went in, maybe a little dried out.

We have to spend our money wisely. We have to place it in the proper places. We can no longer be simply allocating money because pressure group A is stronger than pressure group B. Someone has to control what is happening. It cannot be a matter of helping your friends—when you get into power, you help those people who are your friends, and then when another government gets into power, it helps its friends.

Mr Hope: Words to the wise.

Mr Callahan: Well, let me tell my friend, I am proud of the record of the Liberal government. They were able for the first time to reduce the accumulated deficit. They were able for the first time to come up with two budgets that had no deficit whatsoever. Granted, times were good when that happened, but still they were the first in history to have done that. That means that at least we were moving in the right direction. Unfortunately, the people of Ontario are being taxed to death by the federal government; they are being taxed to death by every jurisdiction going. I think they said, "Enough is enough," and we just happened to be the first live politicians to hit the bricks. They were really waiting for the Prime Minister but he would not call an election. We called it and, of course, they told us, up front, "We are tired of taxes, we are tired of seeing money being taken and the programs not being significant."

We were far more progressive in terms of the programs we brought forward; some of them this government is wise enough to carry forward, but others it is just sort of shelving, others it is just not introducing, and I suggest that this is not the way this House should work. I think we need a revamping of the system, and I will be debating that next Thursday in private members' hour.

Parliament is an anachronism. It requires a total overhaul. It requires a situation where members in this Legislature can act on the sacred trust that is given to them by their taxpayers to ensure that the economy is sound and vibrant and that we do not continue to pour debt on to the children of the future.

Mr Stockwell: I would like to deal with the four points brought up on the order paper today and in order from the top.

The first one I thought was rather reasonable, and it is pretty self-explanatory: "To impose a 2% cap on wage

increases in the broader public sector in Ontario for a one-year period." It is not an extended length of time; it is for one year. Considering that everyone, including the Treasurer, has conceded we are in a recession and the debt we are piling up this year is record-setting—no one would debate the fact that it is record-setting—it seemed reasonable to me, probably very reasonable to the private sector, probably equally reasonable to those people who have lost their jobs, probably very reasonable to those people who did not get any pay increase at all, probably very reasonable to those people who operate retail stores in border communities, probably very reasonable to any of those people that a 2% cap on a wage increase did not seem to be much of a hardship for the bureaucracy to accept.

We were not saying, "No increase." We were not saying, "You're losing your job." We were not saying, "We're going to hold the line for four or five years." We are saying, "For one year, considering there's a recession, considering that it's difficult for the private sector, for ordinary citizens, for taxpayers to get by, maybe you'd consider taking 2%." It does not seem that unreasonable. But that is dismissed out of hand. The suggestion is made by the government, from the cabinet ministers to the seals, that it would be attacking the bureaucracy. I do not believe that is the case. In fact, I have talked to many people who work for the government and they have said, "It's unreasonable for us to expect an increase of 6% this year, when everyone else is suffering." They found it very difficult to defend to the people they were talking to.

The second point is "to establish a budget stabilization fund to be financed through the allocation of any in-year revenue windfalls." That is very self-explanatory again. Rather than being caught again in a position where the government would have to absorb a \$9.7-billion debt in one year, it adopts a budget stabilization fund. Some of the members across the floor and some of the members on this side of the House have come from municipal councils. It is a very acceptable accounting function at municipal levels to adopt budget stabilization funds. They are called reserve funds. Those reserve funds are used during rainy days or possibly during periods when there is large economic growth and there have to be major infrastructures built. Those budget stabilization funds are used to offset the tax hike in a particular year.

We know about windfall profits from last year, the \$1 billion or so increase in PIT. Why could we not take that money, rather than simply applying it to general revenue, when the government never expected to have it anyway, and put it in the budget stabilization fund? That is good, solid fiscal management. That kind of fiscal management makes for profitable, prosperous companies. That is not an unreasonable request; it is a request that probably all members' municipalities operate under, all sound businesses operate under, but not the province of Ontario, which considers it radical and without merit. It seems rather silly to me it is considered without merit.

Point 3 was "to hold its own direct operating expenditures at last year's levels." That is called a recession. We know this government is recession-proof. We know it does not even know there is a recession going on. We know

when it gives 6% increases it does not even know that people are losing their jobs. We know they do not understand that people are getting held at the same rate as last year, that programs are being slashed in the private sector, that jobs are being lost. All we are suggesting is that when the government has program growth, it just hold the line for one year again. The private sector does it, other provinces are doing it and municipalities are doing it. What makes this government so special, so high and mighty that it cannot even look at reductions, restraints or cost-saving measures? It is unbelievable irresponsibility.

I bring these forward to make this government vote against them, to force its hand. When it goes back to the electorate and the electorate says, "Why weren't these considered good ideas in your caucus?" I want to see the government members fumble around like hopelessly inept dancers, and their seal-like barks will not be considered too valuable in their own municipalities.

To implement a program freeze is another acceptable approach during recessionary times everywhere except here, because the whole world is wrong except the Ontario socialists.

[Applause]

Mr Stockwell: They applaud this. Their socialist friends in France are wrong. Their socialist friends in eastern Europe are wrong. Their socialist friends in Ottawa do not want to have anything to do with this budget and their spending because they are embarrassed. It is rather humorous. Audrey knows how to do the moonwalk. That is what we are seeing, the moonwalk from the federal leader of the New Democratic Party.

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The Acting Speaker: Would the member for Etobicoke West like to wrap up his speech for the last two minutes of his time?

Mr Hope: Wrap up, will you?

Mr Stockwell: I am going to wrap up. I do not think these are the kind of recommendations that would be that difficult to accept. They are being accepted right across this country by governments. They are being accepted by municipal governments right across this country and in this province. They are being accepted by businesses large and small. They are being accepted by families at their kitchen table when they are working out their accounts and they realize they have to cut back during a recession.

Mr Hope: The workers, not the corporations. Look at what the bosses get paid.

The Acting Speaker: The member for Chatham-Kent will come to order, please.

Mr Stockwell: This request comes forward in the truest sense, in the sense that these are the kind of measures needed during recessionary times. This is the kind of help the taxpayer in this province is looking for. The taxpayer in this province is not looking for 13.4% increases in spending. The taxpayer is not looking for \$9.7-billion deficits. The taxpayer in this province is not looking for a government to double its debt in four years when it took 125 years to accumulate.

The taxpayers in this province are looking for a break. They are not looking for a break from the socialists, which means—hopefully in their case—that everyone in Ontario would end up on welfare, thereby guaranteeing their re-election. What these people are looking for is a government that will allow them to compete, and to compete they must have the ability to produce. With this budget, by not adopting guidelines such as this, they have not allowed the people in the province to compete.

They are so out of touch with the people that they do not understand that the people are opposed to this approach. They would like the government to adopt this kind of alternative budgeting. In four years, I doubt it is going to have official party status.

**EMPLOYMENT STANDARDS AMENDMENT ACT
(NOTICE OF TERMINATION), 1991**

**LOI DE 1991 MODIFIANT LA LOI
SUR LES NORMES D'EMPLOI EN CE QUI A TRAIT AU
PRÉAVIS DE LICENCIEMENT**

The Acting Speaker (Mrs Haslam): Mr Dadamo has moved second reading of Bill 116.

Motion agreed to.

La motion est adoptée.

Bill ordered for committee of the whole House.

Le projet de loi est déposé au comité plénier de la Chambre.

1211

GOVERNMENT SPENDING

The House divided on Mr Stockwell's motion, which was negatived on the following vote:

Ayes—13

Arnott, Callahan, Carr, Cordiano, Cunningham, Fawcett, Jordan, McLean, Murdoch, B., Runciman, Sterling, Stockwell, Turnbull.

Nays—36

Boyd, Buchanan, Carter, Christopherson, Cooper, Dadamo, Duignan, Fletcher, Frankford, Gigantes, Haeck, Hansen, Harrington, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Lessard, MacKinnon, Mammoliti, Martin, Mills, O'Connor, Owens, Perruzza, Silipo, Sutherland, Ward, B., Ward, M., Wessinger, White, Wilson, G., Wiseman, Wood.

The House recessed at 1214.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

CARABRAM

Mr Callahan: In Brampton, balmy summer breezes on the first long weekend of summer mark the beginning of Carabram, Brampton's multicultural festival. For three fun-filled days, 5, 6 and 7 July 1991, the great city of Brampton and many, many visitors from other parts of the province will experience the magic of Carabram. People have an opportunity to savour the sights, tastes and sounds of this year's 17 countries without even leaving Brampton. It is probably the most successful multicultural festival in Canada. There are some 2,500 volunteers and I applaud them.

I am sorry to say I will not be able to invite members to a special kickoff which we have held for five years here, since the Premier and the Minister of Citizenship would not respond to letters or telephone calls, nor provide a few dollars to allow people to see these people from my community down here at Queen's Park. In any event, I invite each and every member to attend one of the most successful, if not the most successful, multicultural festivals held every year.

We will continue to hold it, and perhaps next year the Treasurer and the Premier and the Minister of Citizenship will find the goodness in their hearts to really support multiculturalism. Perhaps they will provide a little bit of an effort here at Queen's Park to allow members the opportunity to see some of the participants in Carabram in person, to talk to them, to enjoy them and perhaps to emulate that multicultural activity in other parts of the province.

EVENTS IN LANARK

Mr Jordan: Mr Speaker, 1991 is a very special year for the town of Perth and the county of Lanark, which form a major part of my riding, Lanark-Renfrew.

It was 175 years ago that Scottish settlers established themselves along the banks of the Tay River and made Perth their home. The town has been a pillar of strength in eastern Ontario and draws visitors from far and wide because of its people, its heritage, its charm and its markets.

The Perth Come on Home Corp will be welcoming former residents and all visitors throughout the year, but it has highlighted 14 to 21 July as the big celebration. Events such as an international grand prix featuring Perth's own world equestrian champion, Ian Millar, along with an international fastball tournament, parades, concerts and antique boat shows will highlight the activities. We are pleased the Premier of Ontario has accepted our invitation to participate in these celebrations.

The county of Lanark, also rich with history, will be 150 years old. From Maberly and Perth to Carleton Place, Almonte and Pakenham, there will be celebrations all along the way. Again, it is the people who will make the difference.

The separated town of Smiths Falls will kick off the celebrations with its own contribution on the weekend of 28 June to 1 July, and we have in the members' gallery today some students from St Francis de Sales School in Smiths Falls, representing the graduating class of grade 8.

WINDSOR-DETROIT INTERNATIONAL FREEDOM FESTIVAL

Mr Dadamo: I would like to take a few seconds to say thank you to the opposition members who this morning supported Bill 116 dealing with the Employment Standards Act and plant closure legislation.

I would like to take this opportunity to inform members of the Legislature about North America's largest international summer festival, the Windsor-Detroit International Freedom Festival, which begins tomorrow and carries on until 4 July.

The festival began in 1959 as a joint celebration of Canada Day and the American Fourth of July. In its 33-year history the festival has grown into a two-week extravaganza that attracts over three million annually. This festival is a celebration of the freedom and friendship shared by the USA and Canada, incorporating the two national holidays.

Most of the festivities take place along the Detroit River, which is the border between Windsor and Detroit. The Canadian portion of the festivities is located on the grounds of Windsor's beautiful waterfront parks. To start the festival's official opening, the freedom bell rings out in Dieppe Park on 21 June, followed by the lighting of a huge freedom torch and then a friendly tug of war over the Detroit River.

Canada's birthdate as a nation, 1 July, will open with the Canada Day parade, which has as its theme this year "Peace for All Nations." That will be followed by a family picnic.

I encourage members of the Legislature who could be in the area to participate in these festivities celebrating peace, freedom and friendship.

SHIPBUILDING INDUSTRY

Mr Bradley: The government of Canada is in the final stages of consideration of the awarding of a \$450-million contract to construct 12 minesweepers for the navy. Over the years, Port Weller Dry Docks, owned and operated by Canadian Shipbuilding and Engineering Ltd of St Catharines, has not received its fair share of contracts from the federal government, despite the fact that this shipbuilding facility is first class, the workforce is highly skilled, competent and reliable, and the designing engineers are among the best in the world.

In the midst of a recession which is the worst since the 1930s, at a time when the impact of free trade and the fiscal and tax policies of the federal and provincial governments are hindering business activity and competitiveness in Ontario, and in an era of great difficulty for the shipbuilding industry on the Great Lakes, the government of Canada should award this contract to a facility with a good

reputation for reliability of price and performance and one which requires a shot in the arm to maintain its essential long-term presence in the Great Lakes region. That company is Canadian Shipbuilding and Engineering and that facility is Port Weller Dry Docks in St Catharines. Employment would be provided, high-quality ships would be built to defend our shores and an important industry would survive a devastating recession.

The Premier, the Treasurer and the Minister of Industry, Trade and Technology should all use all of their persuasive power to convince the federal government to support this Ontario industry.

ECONOMIC POLICY

Mr Carr: I am concerned for the workers in the business sector of my riding of Oakville South, and indeed all of Ontario. They are forced to work harder to cope with the current government's policies and the future of their companies than with increasing business and employment.

Procor is a major Canadian rail lessor, supplying and maintaining rail cars for industry. It is extremely concerned because the Ontario provincial taxation policies have made Ontario a relatively undesirable place to continue its business compared to the United States, Alberta or Quebec. Ontario's income tax is the most non-competitive in Canada and Ontario tax is applied to the largest portion of the company's income. Procor is under extreme pressure from the competition outside of Ontario.

A. G. Simpson is also feeling the pressure under the NDP policy. This privately held company that manufactures and supplies components to the automotive industry has six plants in Ontario. If the proposals of the Labour Relations Reform Act, along with the reforms of the Employment Standards Act, are enacted, they will have severe negative consequences in terms of employment and future investment.

We need a long-term plan to restore competitiveness and remove the pressure on our businesses to relocate. We need a more prudent taxing and government spending agenda and a consistent policy framework that looks beyond quick fixes and long-term deficits.

SENIOR CITIZENS

Mr Malkowski: As members are aware, my riding has the second-largest number of senior citizens in Canada, second only to Victoria, BC. I am pleased to rise to inform the House today of a significant effort to assist the seniors of York East to access government and community services.

Over the last month, my staff have been working on a booklet entitled the East York Seniors Information Handbook. This booklet will supplement the Guide for Senior Citizens produced by the Ministry of Citizenship and the Office for Senior Citizens' Affairs. Together these booklets will make it easier for seniors in my riding to obtain the services they need.

The East York Seniors Information Handbook will be available later this summer for residents of the riding. The response to this work from the community has been very enthusiastic, I must say, and we are now looking at ways to

improve the services in the areas where gaps have been identified.

1340

SOFT DRINK CONTAINERS

Mr McClelland: The Minister of the Environment, who is a dear friend, has evidently mastered the art of avoiding ministerial responsibility. I am surprised, quite frankly. In response to my very direct question yesterday on whether or not the minister intended to carry through on her promise to enforce the 30% refillable quota, she responded by saying that this was not her responsibility but the responsibility of the investigations and enforcement branch of her ministry.

I recall quite clearly her speech last fall to the Recycling Council of Ontario in which she unequivocally stated that it was her intention to enforce the 30% sales in refillable containers. She stated "I will." That was her responsibility and her intention.

Now when it comes time for enforcement, when it comes time to carry through on the hard stand she took in the fall, it is no longer her responsibility but instead is the responsibility of one of the departments in her ministry.

We still do not know what the intentions of the minister are. Does she intend to maintain and enforce the 30% regulation or is it her opinion, as stated to the media, that "enforcement alone is not going to solve the problem"?

If it is not the minister's intention to enforce this regulation as she had previously stated, she should inform this House of the changes she is making to the regs. She may also want to inform the House of the outcome of the workshop she conducted yesterday with the waste reduction advisory committee, representatives of the soft drink industry, labour and environmental groups on this very issue.

If the minister is going to reverse her position and does not intend to carry through on the promises she has personally made, the people of this province have the right to know. Backroom deals are not acceptable any more; in this case, they cannot be tolerated.

GREY ASSOCIATION FOR DEVELOPMENT AND GROWTH

Mr B. Murdoch: Today the Grey Association for Development and Growth felt it was necessary to come to Toronto and hold a press conference to express its concerns about the heavy-handed manner in which this government is dealing with municipal councils in Grey.

These people feel that the latest example of loss of local control was the order given to them by the Minister of Municipal Affairs, which, if carried out, will effectively stop all development in the county. They also cite the issue of the Niagara Escarpment Commission, which in their view is the least democratic body in the province and one which consistently abuses its mandate.

As well, they feel their democratic rights are threatened by the Ministry of Natural Resources, which has now decided that it and it alone will identify areas of natural and scientific interest on private property, with no legislative approval or owner awareness and consent.

The association raised the matters of the unpopular county restructuring scheme, misuse by various ministries

of the Ontario Municipal Board, the Minister of the Environment reversing decisions made by her own staff, and several other examples of the lack of democracy shown by this government.

These people, and over 200 supporters outside the building, made this trip because they care deeply about individual rights and freedoms. They are serving notice to this government that they will not accept the dictatorship they see coming to the province as a whole. These people believe they should be consulted, their concerns listened to and their voices heard. If not, these people will fight. They will not give in.

CALVIN PARK PUBLIC LIBRARY

Mr G. Wilson: I had the pleasure of attending the 25th anniversary of the Calvin Park Public Library in Kingston last week. I was pleased not only because the essential service the public library provides the community deserves to be celebrated, but also because for the past 12 years my family and I have visited Calvin Park nearly every week.

Like all public libraries, Calvin Park has a collection of material that provides information and entertainment for all members of the family. We have used books and magazines to help us replace the water heater, repair bicycles and renovate rooms. Our daughters have been read to since infancy from books from the children's section and now avidly read on their own from the great variety of material they find in the library. And many of the activities around our house are done to the accompaniment of music from Calvin Park's cassette collection.

With 52,000 items in its holdings, confusion would reign were it not for the capable staff of the library. Indeed, the staff bring the collection to life as they help patrons find what they need. Members will be familiar with this type of service through their experience with the staff in the legislative library. I am sure they will agree with me that library workers provide an essential service.

Calvin Park has evolved to include a book club, the Kingston Heritage Quilters and the Read-Write Literacy Centre. The last organization will ensure wider access to the benefits of libraries, a goal we can all support.

I commend Pat Little, chair of the library board, and her fellow trustees; Lynn Jordan, new chief librarian in Kingston; Stella Carney and her staff at Calvin Park and the citizens of Kingston. With music by Quartessence and Paddy Stewart, good food and refreshment, they celebrated the anniversary in style. As a co-operative effort, libraries are a cornerstone of our democratic culture.

VISITORS

The Speaker: I invite all members to welcome to our assembly this afternoon, seated in the Speaker's gallery, a member of the Legislative Assembly of British Columbia, Anne Edwards.

Also seated in the gallery is a member from the Legislative Assembly of Alberta, Jerry Doyle.

Finally, seated also in the gallery today, Mieczyslaw Gil, member of Parliament, the parliamentary leader of Solidarity, Poland.

REPORT ON DISCLOSURE OF INFORMATION

The Speaker: I beg to inform the House that I have today laid upon the table the Report on the Disclosure of Information in the Legislative Assembly of Ontario on April 18, 1991, by the former Minister of Health Evelyn Gigantes, MPP.

ANNUAL REPORT, OFFICE OF THE OMBUDSMAN

The Speaker: I beg to inform the House I have today also laid upon the table the annual report of the Ombudsman for the period 1 April 1990 to 31 March 1991.

STATEMENTS BY THE MINISTRY

WORKER OWNERSHIP PROGRAM

Hon Mr Laughren: I would like to inform the members of the Legislature of the government's intention to introduce a new program to help Ontario's companies and workers respond to the challenges of the 1990s.

During the past few months, I have spoken with business and labour representatives about the current state of the economy. We are all aware that the Ontario economy is undergoing fundamental restructuring as a result of changing markets and growing international competition. To meet these new economic challenges, businesses need better access to sources of capital and employees need to be full partners in both the decision-making process and the opportunities that are being created. It is clear that new partnerships are required to ensure that employees and employers can work together to help Ontario companies keep pace with these economic realities.

The government of Ontario is prepared to introduce tax incentives that will encourage investments by workers in Ontario businesses to support these new partnerships. We will also be pursuing with the federal government ways in which this program can complement the existing labour-sponsored venture capital corporation legislation.

The proposal I am outlining today will provide workers with the opportunity to invest in their own and other companies and provide businesses with access to equity capital to modernize or restructure their operations. This program will consist of two parts. The first will provide a tax credit of 20% to workers contributing to labour-sponsored funds that invest in small and medium-sized businesses, and the second will provide enhanced tax credits to workers investing solely in their employers' corporation.

Worker ownership programs, combined with participating workplace organizations, are known to increase productivity. In addition, they can promote job creation and maintenance, stabilize local economies and improve labour-management relations. We are committed to creating the conditions where government, labour, business and other members of the community will come together to find solutions that work best for Ontario.

To encourage this, I will be releasing a discussion paper and draft legislation this summer which will outline details of this program. I hope all interested parties will take part in this consultation and I look forward to receiving their views and comments this summer. Following this review, I hope to implement the program later this year.

Ontario's success in meeting the challenges of the 1990s will depend on the ability of business, labour and government, working together, to increase the flexibility of our economy and its supporting institutions. Sustainable prosperity is possible only if everyone believes they will be full participants in economic and social change and will share the benefits of this participation. We believe this new program will be a strong step in meeting this challenge, and I am pleased and proud to be announcing it today.

1350

AFFORDABLE HOUSING

Hon Mr Cooke: Today I am pleased to give members details about a new housing program that was announced in the budget of 29 April—the creation of an additional 10,000 non-profit and co-operative homes across Ontario. These homes will be created under the Ontario non-profit housing program, which will provide an estimated 10,000 person-years of employment in the construction industry and related sectors.

The Ontario non-profit housing program offers some significant changes from the previous non-profit housing programs.

First, we will require sponsors to make a minimum of 50% of the units in each project available to needy households. This replaces the current ministry requirement of 40% rent-geared-to-income units. I am pleased to report that the projects we have approved devote, on average, 70% to 80% of their units to families or individuals in varying degrees of need. As before, the remainder of the units will be rented at market rates, with no income ceiling for tenants, so that people can live in well-integrated communities with a healthy social and economic mix.

Second, priority will be given to sponsors who can start construction quickly so that construction-related jobs are created and affordable housing is built as soon as possible. In addition, priority will be given to groups who donate land, services and/or funding to share in the cost of providing social housing. This will reduce the government subsidy and save taxpayers' dollars.

A third feature is that new construction will account for about 80% of the units. Acquisition and rehabilitation of existing buildings will account for the remaining 20%. I would add that these numbers are targets. We will assess each proposal on its own merit.

I know many members of the House are interested in the status of the Homes Now program. I would like to say a few words about its progress. As members are aware, the previous government announced that 30,000 non-profit and co-operative housing units would be provided under Homes Now. As of 31 May 1991, 14,000 units have been committed. When this government came to power, we discovered that little more than 3,000 units had been committed. It was obvious that most projects would not meet the program's 31 March 1991 approval deadline. The rescue of the Homes Now program was the first thing we did, by extending the approval date to 30 September.

The second thing we did was to streamline the Homes Now approval process for some non-profit housing sponsors. We knew there were a number of non-profit and co-operative

housing sponsors who would be able to start construction within a month or two if they had an allocation under Homes Now. However, to make this happen the Ministry of Housing would have to accelerate some parts of the approvals process. To get these units to the construction phase as quickly as possible, that is just what we did. To date, we have identified 2,800 units which will proceed under this quick-start approach, and that is over and above the 14,000 units I have already mentioned.

That approach will have several beneficial effects. It will stimulate the construction industry and it will allow sponsors and government to take advantage of the lower development costs reflected in today's recessionary market. As members can see, we are doing all we can to pull out the stops and reach the Homes Now target.

Under the Ontario non-profit housing program and with the changes in the existing Homes Now program, the ministry will increase the stock of affordable non-profit and co-operative housing across this province, and at the same time we will be creating thousands of urgently needed jobs in the building sector.

FISH AND WILDLIFE MANAGEMENT

Hon Mr Wildman: I am releasing today for public comment a report which will assist our government in implementing a new strategy for wildlife in Ontario. The report, entitled *Looking Ahead: A Wild Life Strategy for Ontario*, was prepared by the Wildlife Working Group, which was appointed in 1989 by the previous government.

This report begins the process of developing and implementing a new approach to wildlife management in Ontario. We are at the crossroads of wildlife management and protection in Ontario. It is important that we take care for our wildlife resources now and in the future. Our wildlife resources are under tremendous pressure because of increasing land use activities and because Ontarians differ in their interests and objectives with respect to the values and use of wildlife. The challenge in re-examining our current wildlife management program is to work with the public to take greater care of the natural environment in order to ensure the sustainability of our wildlife resources.

Looking Ahead: A Wild Life Strategy for Ontario approaches wildlife protection and management in Ontario from an ecosystem perspective, which is reflected in the goals, objectives and a number of strategies and associated recommendations contained in the report.

The working group recommends that the goal of provincial wildlife strategy be a diversity of healthy ecosystems and associated wildlife populations and habitats which provide sustained social, cultural and economic benefits for all people. The group recommends that this goal be attained by meeting four objectives: maintaining biodiversity; rehabilitating degraded systems; treating all wildlife in a responsible and respectful manner; and attaining widespread appreciation of the importance of wildlife and healthy ecosystems.

The Wildlife Working Group's report is being made available for public comment. There will be a 90-day public review period during which I invite all Ontarians to share their views. The ministry will also hold public meetings

across the province during September and October, and members of the public may complete a questionnaire on the report, which will be available shortly.

In addition, and in an effort to ensure that wildlife laws keep pace with evolving wildlife management and protection requirements, I propose to introduce amendments to the Game and Fish Act this fall, which will take effect in the interim period until this House enacts a new wildlife act.

I would like to thank the 11 members of the Wildlife Working Group for their dedication and commitment. Dr David Fowle is the chair of the committee and he is here with us in the gallery.

I would also like to thank all those who attended the workshops, interviews and discussions conducted by the working group, as well as those who wrote letters or telephoned to share their views. Our goal is that all current and future initiatives for wildlife be undertaken with the continuing consent and active participation of Ontario residents. Working together, I believe we can make a difference in the kind of natural environment we enjoy today and which Ontarians can continue to enjoy as we move into the 21st century.

RESPONSES

WORKER OWNERSHIP PROGRAM

Mr Nixon: I wish to comment on the Treasurer's announcement, since it resembles quite closely the enactment passed by the Legislature in 1989, which, as I recall it, provided a \$600 maximum incentive for workers to invest either in their own company or in other companies.

I was interested to see the president of the United Steelworkers of America, Leo Gerard, urging the employees at Algoma to give over \$3 an hour of their pay for four months. As nearly as I can figure that out, it would be about \$1,500. If the minister's promise is carried forward, it would mean that each of those workers would get a tax credit of about \$300, which is just about half of what was envisaged in the legislation that is already on the law books of the province.

It is not as generous perhaps as one would have thought, since the Treasurer and the president of the Steelworkers belong to the same party, if the Treasurer will permit me to say that. As a matter of fact, Mr Gerard is the vice-president of the party.

There is a line here that interests me, the very last line on the first page: "The second will provide enhanced tax credits to workers investing solely in their employers' corporation." In other words, it is 20% for some but enhanced for others, so it is quite possible the Treasurer is thinking of something somewhat more generous than the \$300 that is basically a part of the announcement. We will look forward to his working paper and to studying it with a good deal of interest.

1400

AFFORDABLE HOUSING

Ms Poole: Our caucus welcomes the announcement today by the Minister of Housing that he is proceeding with the program of 10,000 units announced in the budget.

Now is the time to build. Every member in this House should believe that, not only because now is the time when we need to create those jobs and save our construction industry but also because now is the best time when we can get good value for our taxpayer dollars in the building industry.

Day after day, since last October when this government was elected, I have come into his House and I have anxiously awaited the announcement of the 20,000 homes that it promised in its campaign speeches. It did not come. Day after day I kept coming in, but then the budget came in two months ago and I thought, "Aha, it's coming," or at least half of it, 10,000. Day after day I came in and again anticipated the minister would make it.

Finally, today, all my innermost fantasies have been realized and the minister has proceeded. But it is not all good news. I am disappointed that the minister is still playing with numbers and with words, because the minister has to admit he is not building the 10,000 new non-profit units he promised. He is building 8,000. That is what it says right in his own announcement.

The minister talks with pride about committing 14,000 units under the Homes Now program, but quite frankly he knows as well as I know that 99% of the Homes Now units had been allocated long before this government ever came into power. I wish the minister would be fair and recognize that fact.

I am very glad to see that the Minister of Housing has decided to speed up the processes within the Ministry of Housing. That will really be quite helpful. But I also hope he will use his powers as Minister of Municipal Affairs to make sure that the planning process under the Planning Act is also speeded up and that the ministry will get tough with municipalities that will not co-operate. That is going to be very important.

Finally, I am delighted that the minister has a quick start approach so that we will get some of those units built now, but let's not forget to monitor them to make sure we are spending those taxpayers' dollars wisely and well.

We commend the minister for his announcement. I do hope he will take my words of advice to heart and will make sure that other processes are speeded up so we can get help for the industry and get it now.

FISH AND WILDLIFE MANAGEMENT

Mr Elston: With respect to the member for Algoma's announcement, Looking Ahead: A Wild Life Strategy for Ontario of course was begun under the auspices of the member who was previously the Minister of Natural Resources, the member for Fort William, and has finally come for reply.

I wonder if it might not be of interest to all of us to ensure that there is a 90-day consultation period that is effective and that there is going to be a fair bit of distribution of information about the agreements to be made among the various parties that will be responsible for managing wildlife in Ontario.

While we look forward to the new initiatives here to protect wildlife in general, I think the new plans of other

debates and other negotiations must also be available for the people to comment about.

WORKER OWNERSHIP PROGRAM

Mr Stockwell: The Treasurer tells us today (a) that he has an intention, (b) that he is prepared to introduce it, (c) that he is outlining a proposal, (d) that he will be pursuing, (e) that he will be releasing, (f) that he will have consultations on and (g) that he hopes to implement. I thank the Treasurer for not confusing us with too many details.

AFFORDABLE HOUSING

Mr Tilson: I would like to respond to the statement of the Minister of Housing. There is no question the Minister of Housing and this party certainly do have one area in common, and that of course is that there is a need for assisting the needy in this province. There are a large number of people who certainly cannot afford the housing they already have.

Having said that, as usual, he has his priorities all wrong. The taxpayers certainly know that the government has destroyed the private housing market in this province and that it is on the verge of creating the slums of Ontario with Bill 4 and Bill 121, as a result of the government's policies. The taxpayers are becoming increasingly annoyed with the government's policies of destroying the housing market in this province.

The minister talks of the province creating new jobs with this announcement he has made today. He has not even begun to restore the jobs and the contracts that were lost by Bill 4 and that will continue to be lost by Bill 121. They have not even begun. His statement is a sham. The minister has said that 50% of all units would be available to needy households. He has not defined what "needy" is. He knows that thousands of tenants in this province who are paying very little rent already cannot even afford the increases. They cannot afford the rent they are already paying.

The minister is telling the people of this province where they are going to live and: "If you don't like it, tough. You live where we say and that's that." That is not the way to help the needy in this province.

Knowing that the construction of government housing in this province is far more expensive than private enterprise construction—those facts have been given to him over and over—the minister continues to increase the construction of new, government-run housing. He has created a new black hole in this province for the taxpayer, and that is housing.

Why is the government pursuing the spending of millions of taxpayers' dollars on what I assume this statement has included, co-op developments—he has not said it specifically, but I assume it includes co-op developments—when they cannot even be filled? There are vacancies in both the Durham and Toronto regions. The co-op policy of this government is simply a make-work project for the NDP government, for its favourite architects, its favourite engineers and its socialist contractors.

Taxpayers cannot afford the government's plans to build more co-op units when each low-income family unit

costs the taxpayer \$2,000 a month. Someone who has an income of about \$60,000 still has a taxpayer subsidy of about \$1,000 per month. The co-op groups are now in competition with private enterprise. The taxpayers will not stand for this government subsidizing slack socialists receiving taxpayer handouts. Why in the world are we getting into more non-profit housing and co-op housing when there is a glut in the housing market already?

ORAL QUESTIONS

JOB SECURITY

Mr Nixon: I have a question of the Treasurer. He will have heard that the Minister for International Trade for Canada announced this morning that he was vetoing the proposal for the sale of de Havilland to European interests. That means the 5,000 jobs at de Havilland are once again very much in danger of being lost. The Treasurer will know that the leader of the government has indicated previously that he would take whatever steps necessary to safeguard the jobs.

The Minister of Northern Development announced yesterday, without any details, that the jobs at Kapuskasing were going to be protected by some sort of process whereby a worker buyout would be supported and these antiquated facilities restored to maintain jobs.

I suppose the real problem that must be on the minister's mind more than anything is the situation at Algoma, where the president of the United Steelworkers of America has indicated that the workers there would participate, to the extent of a maximum of \$10 million, in the buyout of that facility, with bridge financing, which I frankly thought would be announced by the Treasurer today, to support that.

The problem here is that we are looking at 15,000 jobs, if we list that with the announcement yesterday at Uniroyal. These are specific ones that are on the tray of action for the ministers right now.

Does the Treasurer realize that all of us in this House share in a strong will that the jobs be protected and supported and that he and his colleagues consult with the House before he moves forward with programs that are going to commit the province for the next decade and longer? Does the Treasurer have the self-confidence in this regard to share with the members of the House, as well as the representatives of the workers, what he intends to do, which must require action in the immediate future, to see that the jobs are not lost and that we have a program in this province that is going to meet the requirements for maintaining employment?

1410

Hon Mr Laughren: That is a very comprehensive question, although certainly an important one. All of the examples the Leader of the Opposition used have different kinds of problems attached to them.

Mr Nixon: They are all there now.

Hon Mr Laughren: They are all there. They are all serious problems. They are all threatened job losses. We are very much aware of that.

In the case of Algoma, for example, there is a lot of work going on, as we speak, to try to see how the province can assist in that area.

With the de Havilland situation, I must say I agreed with Investment Canada's decision and with Mr Wilson's comments surrounding the refusal of that sale, but I think there is much more to be gained from de Havilland than was apparent in the plan that was being put forward.

The tire plant is also a different issue because with that one the company itself admits the problem is an outdated facility, a slump in car sales and international competition.

All the problems are different, no matter which plant you go to, and a common solution simply is not there for each of those situations. All I can say to the Leader of the Opposition is that we are working hard on every one of them.

The Premier met yesterday afternoon with the Uniroyal people and talked to them about their problem as well. He has made available all the facilities of the Ministry of Labour to help in that regard.

The Speaker: Would the minister conclude his remarks, please.

Hon Mr Laughren: I will await further instructions from the leader of the official opposition in his supplementary.

Mr Nixon: Probably the matter ought to be a subject of debate rather than in the question period because the reason I do not object to directing the question to the Treasurer, in the absence of some of his colleagues, is that the solution as far as he is going to find is going to be dollars. I do not think it is going to be any intricate two-step with labour unions, environmental officials or anybody else. It is going to be dollars.

Really, the minister is going to have to take the taxpayers into his confidence to some extent as he contemplates what these solutions will be. I have just made a list of the things that are of concern. There is not only the level of employment, which is most important, but the pension liabilities, which are frightening, particularly since the Treasurer operates a guarantee for those funds that are not available, an unlimited guarantee, and environmental cleanup liabilities, which in the case of Algoma might very well leave with the new owners, whoever they are. Whether it is a president with Leo Gerard down the hall telling him what to do, or whatever, there is an environmental liability—the Treasurer is laughing.

The Speaker: The interrogative part?

Mr Nixon: The environmental cleanup liabilities are going to cost somebody, and in this instance he is going to take it out of one pocket and spend it in another way. The danger of countervail under international trade requirements and the fact that there are other people in the steel-making business in this world who may very well decide that if he starts tilting the so-called playing field, they are going to require assistance and maybe close up some of their own things.

The Speaker: And the supplementary?

Mr Nixon: I wonder if the minister—and I appreciate your difficulty, Mr Speaker—can give us some further indication of the status of thinking of government in this

regard and what sorts of time limits he has got, since his announcement earlier certainly did not have any pressure, as he is going to be dishing out a maximum of \$300 to each of the steelworkers.

Hon Mr Laughren: I was not laughing because the problem is not serious and I think the leader of the official opposition knows that. I will confess to the leader of the official opposition that I knew we would inherit some problems last fall. I did not know how many. It has been tough trying to cope with these problems in the middle of a recession. Each one is extremely serious, very serious indeed, and has enormous impact on each of the communities in which those plants are located.

I think the leader of the official opposition understands that government cannot replace the private sector in every case when the private sector gets into difficulty. What we can do, however, and we will work very hard to do it, is to play whatever helpful role we can to make sure that as much as possible is salvaged out of each of those very difficult situations. I can tell the leader of the official opposition there is certainly no lack of effort on the part of the government to resolve those problems.

Mr Nixon: I can appreciate the fact that the minister and his colleagues must be spending long hours in that lovely room at the far end of the hall trying to come up with some alternatives and something workable. I also appreciate the fact that he would be the centre of attention because the only solution, in my view, will involve the Treasury of Ontario.

Would he be aware—and I am sure he would be—that since the beginning of the year, in the first three months that are reported, there were 1,015 bankruptcies all involving the layoff of employees? So the scope of the good intentions of the government and of all of us here has got to have some limitation.

There was a proposal put forward for Algoma that was rejected out of hand by Mr Gerard, a very intelligent person indeed, but rejected out of hand, saying they were going to pursue employee ownership in this regard so that no jobs would be lost.

The Speaker: The time.

Mr Nixon: The Treasurer—I wish you would not get so nervous; half a minute—in his answer indicated he would be doing the best he possibly could. In the case of Algoma, does his best mean saving all the jobs in spite of the circumstances that we all know prevail there?

Hon Mr Laughren: I do not think I or anyone else in government says that the solution for a problem in a place, whether in Kitchener, Sault Ste Marie or Elliot Lake, is always saving all the jobs. I think the reality of the world out there is that in many cases there has to be downsizing for all sorts of reasons.

I disagree with the leader of the official opposition. I think the leader of the steelworkers, Mr Gerard, understands that very well. As the leader of the official opposition indicated in his question, the steelworkers have already made a commitment in Sault Ste Marie. I think the workers and their representatives in the trade union movement understand very well what is going on out there.

They understand very well the restructuring that is going on. We understand that as well.

I tell the leader of the official opposition we have no illusions that simply throwing money at all projects is the answer. I think the leader of the official opposition understands that, although from time to time I do wonder.

PURCHASE OF HYDRO PLANT

Mr Kwinter: My question is for the Minister of Northern Development. Yesterday outside of this House the minister announced her support for the employee group and the group's proposal for the Spruce Falls Power and Paper Company in Kapuskasing. The minister indicated that the government has a specific proposal that would meet the interests of all those involved.

Given her announcement yesterday and given the announcement of the Treasurer today, can the minister share with the House some details regarding how this proposal would ensure the continued viability of a worker-owned business?

Hon Miss Martel: I appreciate the question. I say to the member and to all members of the House, as I expressed to the press yesterday, the purpose of the announcement was to indicate very clearly to the community that the workers had accepted the PEG—purchasing employees' group—proposal, which was the option for an employee buyout. They had presented that proposal to government some months ago. We have been working on that draft trying to determine the feasibility and viability of it and made a decision yesterday that in our opinion that would be the most appropriate way for government to proceed.

At this time I am not at liberty to discuss with members the nature of the negotiations going on or the proposal the government has put forward. I only say to the member the government believes it has a proposal that will meet environmental needs, the needs of the employees and, further, that will ensure we will not be subject to countervail.

Mr Kwinter: The minister will be aware that one of the conditions the owning company now has set for handing over the mill to the employees is the sale of the Smoky Falls hydro dam for approximately \$133 million to Ontario Hydro, but the decision on the acquisition of that dam is suspended in Hydro's demand-supply environmental assessment.

The minister stated in her announcement—and I think this is quite important—that Hydro must give a little. Given the new relationship the government has taken with Ontario Hydro and the fact that when it says it must give a little Hydro has no choice but to comply, could the minister tell us, given her announcement about Elliot Lake, is it the intention of the government to have Hydro pay up front for the dam now, even though it may not get the approval of the Environmental Assessment Board?

1420

Hon Miss Martel: I should point out to the member that I said yesterday that clearly a number of stakeholders had to give a little—Ontario Hydro, the government, PEG and the owner, that is, Kimberly-Clark. I want to make it very clear that our proposal, which we hope will be acceptable to

all, envisions a shared responsibility and everyone giving up a little.

As I said yesterday to the media and earlier in my response to the question, I am not prepared at this point to outline to the House the details of the negotiations going on. I think the member can understand why I am being very careful about what I say with respect to the plan. I can only repeat again that we believe the plan will meet not only environmental concerns but the concerns of continuing employment, and that we will not be subject to countervail.

Mr Kwinter: Another important aspect of the proposal is whether it is the government's intention to proceed with the employees putting money into this company and those proceeds going to the present owners. If any of these proceeds go to the present owners—and it is something that will not benefit the plant because the money is just going to go to them and they are going to take it out—how does the government envision capital being provided to keep this plant viable—it is my understanding that her proposal will call for the employees to invest money into this proposal—when you consider that a previous buyer contemplated that the capital required to make the plant viable was going to be somewhere in the neighbourhood of \$600 to \$700 million? This is a pretty expensive neighbourhood. Could the minister tell us what the government is going to do to address this need for capital?

Hon Miss Martel: The employees have agreed that they have a vested interest in ensuring that this mill will continue, and I want to point out to all members that at this time the community has committed up to about \$13.5 million as its share to keep that particular mill going. That is a significant commitment on their part and on the part of the government. I certainly want to congratulate them on their efforts.

I understand the member is trying to have me address a number of the concerns, which I am sure all the members in the House believe are important, but I say again the questions he is raising are very much part and parcel of the proposal the government believes will be satisfactory to all.

I am not prepared at this point to outline any of the details of those. We are in active negotiations now and we hope they will be successful. We have put forward a plan that we think shares the risks for everyone. When we have some details about how those negotiations have gone, I will be more than prepared to share them with the House.

ELECTRICITY SUPPLY AND DEMAND

Mr Jordan: My question is for the Minister of Energy. The recent changes to the Power Corporation Act give her new, sweeping powers over Ontario Hydro. I warn members that with these powers go immense responsibilities. In effect, the Minister of Energy is now the chief executive officer of the utility. It will be her responsibility to give the long-term planning and direction to that utility. I wonder, even as we have the minister in the past sittings of this House, even realizing the responsibility of the Minister of Energy without the extra power, with her new powers is it her intention to direct Ontario Hydro to continue to

provide an abundant and secure supply of power at cost to the people of Ontario?

Hon Ms Carter: The answer to the last part of the question is absolutely yes. We have stated that right from the beginning in the throne speech and we continue to say it. There is no intention of jeopardizing the supplies of power to the people of Ontario.

In answer to the member's earlier remarks, I should point out that the government of Ontario has always exercised power over Ontario Hydro, which is after all a publicly owned corporation. That influence has very often been exercised in ways that were less than obvious to the public, through dinners in hotels and that kind of thing. We have brought this whole thing much more into the open. I would also like to point out that we have no intention of interfering in the day-to-day running of the affairs of Ontario Hydro.

Mr Jordan: The government has forced Ontario Hydro to contribute \$65 million to the northern Ontario heritage fund. The ratepayers, through increased bills, will bear the brunt of this decision. The government, not Ontario Hydro, should be offering the assistance to Elliot Lake. When will the Minister of Energy let Ontario Hydro resume its work as a world-leading electrical utility and stop making it a social welfare arm of the Minister of Energy?

Hon Ms Carter: In view of the fact that Ontario Hydro over the last 10 years has spent \$1.2 billion extra on its uranium supplies in order to make a contribution to Denison Mines and Rio Algom, I do not think the principle of power at cost was being carried out in a very fair manner towards the people of Ontario. If we had continued to buy uranium at the same sort of terms, Ontario Hydro would have subsidized those companies to the tune of another \$2.4 billion over the next 10 years. Now, it is a fact—

Mr Stockwell: Why did you make the promise?

The Speaker: Order. The member for Etobicoke West is to come to order.

Hon Ms Carter: It is a fact that Ontario Hydro has a unique relationship with the town of Elliot Lake because, as we all know, that town has existed only because of uranium. It has been very much a one-industry town. At this moment Ontario Hydro is the only remaining customer of Rio Algom. The other purchasers have dropped out, and there really is a responsibility for Ontario Hydro to consider the fate of that town. I repeat that had we left things as they were, Ontario Hydro would have spent far more money in its purchase of uranium. The amount we are diverting to help the people of that town is only a fraction of what would have been spent due to the inflated uranium prices.

Mr Jordan: The mandate of Ontario Hydro is to supply energy to the people of Ontario in an abundant supply and at cost. How can she factor in welfare costs, contributions to a heritage fund, as the cost of generating and supplying energy? There is no relationship to it whatsoever, and that is independent of buying the uranium at Elliot

Lake. She should not try to put the two of them together. They are separate.

The minister now has been given these powers as chief executive officer. She has to take the responsibility. Does she plan to set the rates for Ontario Hydro? Does she plan to set the policy for Ontario Hydro and be accountable for the unemployment she is looking at in the nuclear industry and for the loss of the special expertise that is not going to stay in this province, or does she plan to just move her office to 700 University Avenue and carry on a minimum-requirement electric service?

Hon Ms Carter: I would like to point out that I am not the CEO of Ontario Hydro and have no intention of becoming so. The new CEO, as we all know, is Marc Eliesen, who has just taken up his new post.

I do not feel it is legitimate to separate out the finances of this affair, as the member opposite has done. Why it is consistent with the dictates of selling power at cost to buy uranium at many times the market price, whereas it is not consistent to use part of the money saved by not doing that to help the people who have been dependent on those supplies is not clear to me. It seems to me that under previous governments the need to supply uranium for our nuclear development has overridden the public interest and we want to get away from that situation.

It is also ridiculous to suggest there is imminent unemployment due to our policy of a nuclear moratorium because nuclear power stations are supposed to have a life of 40 years. None of them is approaching that age and they are continuing to employ workers.

1430

MISS VICKIE'S POTATO CHIPS

Mr Villeneuve: The Minister of Agriculture and Food must surely find it troubling, if not alarming, when a program intended to protect Ontario producers ends up forcing processors to buy outside our province.

Example: Miss Vickie's chips in Simcoe county is forced to import potatoes from Florida instead of purchasing Ontario potatoes when they are available. The regulatory system now in place is very much biased against small Ontario processors and producers. This government is forcing Miss Vickie's to cross-border shop when indeed she wants to buy, she could and should be buying Ontario potatoes. Consumers support the Miss Vickie's organization in Simcoe county through their purchases.

Will his government and his ministry allow Miss Vickie's to purchase Ontario potatoes for her Ontario plant?

Hon Mr Buchanan: This government encourages and wants to sponsor and promote small business. We certainly want to support the consumption of Ontario produce, including potatoes. We very much favour that. To support small business and Ontario producers is an ongoing policy of this government.

Mr Villeneuve: If that is the policy, there is a problem with it. Miss Vickie's Quebec operation is allowed to purchase Ontario potatoes but her Ontario operation is not. Growers need financial protection and the problem we have seen is that the regulations as set by cabinet and

government are indeed interfering with the whole process. This does not inspire confidence in the food industry, which is very basic to the economy of this province. The regulations work against our Ontario processors and producers.

Can the Minister of Agriculture and Food, supposedly supporting and assisting producers, provide Miss Vickie's chips in Simcoe county with a licence to purchase Ontario potatoes?

Hon Mr Buchanan: The previous government, when approached by the potato marketing board, agreed to set up a protection agency which would protect the producers so that in the event processors were unable to pay for the potatoes, the producers would get some payment for the potatoes. Part of that plan was to have a licensing policy in place so that the processors, large and small, had to show they were economically viable. We have simply continued to apply that protection program and we follow the same process in terms of licensing. The same regulations have been in place for several years.

Mr J. Wilson: The second supplementary is also to the Minister of Agriculture and Food. His answers verge on insanity. It is absolutely crazy for him to defend regulations put in by the Liberals that discriminate against small and medium processors in Ontario.

Miss Vickie's potato chips in my riding of Simcoe West employs 100 people. It buys six million pounds of potatoes a year. It is an incredibly large operation, and yet she cannot buy potatoes from neighbouring farms, from her own husband, Bill Kerr, because the minister is supporting crazy regulations put in by the Liberals which discriminate.

Officials from the Ontario Potato Growers' Marketing Board tell us they never agreed with those regulations in the first place. They were put in under false pretences, and we are asking you today to take action on behalf of processors in Ontario to change those regulations so that when Ontario potatoes are ready in just a few weeks, Miss Vickie's can purchase those, make them into a product and sell them across Canada.

Hon Mr Buchanan: The member is having some problem with his facts. The regulations and the protection board were put in place with the encouragement of the potato marketing board. There was consultation. It was for the producers that this was put in place.

Mr J. Wilson: On a point of order, Mr Speaker: I know we agreed not to make points of order in question period, but I have not misinterpreted the facts, and I have done my homework, as has our critic for agriculture, and I ask the minister to withdraw—

The Speaker: Would the member take his seat? We frequently have discussions about points of view, and that is apparently what is unfolding here at this moment, with or without a discussion of who or what is sane or otherwise.

Hon Mr Buchanan: I just wanted to make sure the member understood this was put in place because the potato marketing board asked for it. In 1987 one of the processors in the province had a problem and had to close through bankruptcy. Several producers were left holding the bag without any financial protection. The board came to the former government and asked for that protection.

Part of the protection for producers is to make sure processors have financial backing to pay the producers for their product. If the producers were not protected, I am sure the member would be the first to ask that we have protection for the producers. This legislation, partially licensing and partially protection, is there to protect producers and we intend to uphold that legislation.

PLANT CLOSURE

Mr Offer: In the absence of nearly everyone who has had any responsibility for this matter, I would like to pose my question to the Treasurer. Uniroyal Goodrich confirmed today it will be closing its largest plant in Kitchener, resulting in the loss of over 1,000 jobs. As the Treasurer knows, the initial announcement came last 4 June, when the Premier and the Minister of Industry, Trade and Technology stated they would do everything possible to prevent the closure of either plant.

Today we have the announcement. The evidence is clear, the Treasurer and his government have failed those workers. They would like to know exactly what steps the Treasurer took to stave off this closure. What did this government do?

Hon Mr Laughren: It is fine for the member opposite to stand in his place and in some strange kind of logic say that because a large company such as this, with worldwide operations, decides to downsize its operation and rationalize it, somehow we are to blame. For heaven's sake, go and talk to the Uniroyal people. They will tell the member why they are closing one plant and consolidating their operations into one plant. That is what they intend to do. Now surely to goodness the member is not suggesting that in situations like that we move in and guarantee employment for all the people in that plant. Is that what the member is implying? Because if he is, that is not our intention. We simply could not afford to do it, and quite frankly it would not be the right thing to do.

1440

Mr Offer: But surely to goodness what I am asking is that when the Premier and the Minister of Industry, Trade and Technology promise to do everything possible to prevent the closure of either plant, the Treasurer will be able to stand in his place today and share with us in this Legislature what he did. It is quite evident he has done absolutely nothing. One plant is closing and there is every possibility of the other plant shutting down. There is just no action taking place by his government.

I want to share some media information. "The plant"—and they are talking about the newer plant—"will be kept open if a restructuring agreement with the union can be reached," and a deal must be reached by mid-July. They are saying if no agreement is reached to keep the newer plant open, production will wind down over the next two to three years.

On 4 June, the member for Wilson Heights asked the Minister of Industry, Trade and Technology a question and the minister responded, "This government stands ready to participate in any way it can to obviate any kind of negative announcement that may be forthcoming in that regard," whatever that means.

What is the government going to do for the workers in jeopardy at the other plant? Given its success at attracting new jobs and new investment in this province, what possible opportunities will the government have to offer those workers who are now losing their jobs?

Hon Mr Laughren: The member should know—perhaps he does not know and that is why his question does not make too much sense. When the problem became evident, we offered our services in any way we could. Yesterday the company met with the Premier and, I believe, representatives of the union. The company met with the Premier this morning I believe and we have offered our services in any way we can.

Surely the member is not suggesting we move in and pre-empt the discussions and negotiations now going on. I think the member would be quite happy to see us move in and simply employ everybody who goes through a problem. That is simply not on.

In this province we cannot replace the private sector every time there is a problem. We will do whatever we can as a government to help in adjustment programs for those workers, to help in any kind of negotiations between the union and the company. If there is any meaningful role we can play, we will play it. We have offered the services of the Ministry of Labour mediation and adjustment services to the company and the union. We stand ready to do whatever we humanly can do to help the workers survive in that community.

OATH OF ALLEGIANCE

Mr Carr: In the absence of the Solicitor General, my question will be to the Deputy Premier. He may have read today's final edition of one of the local papers that says, "Ontario police chiefs today voted to ask the Ontario government to reinstate the oath of allegiance to the Queen for police officers." On behalf of the police chiefs across this province, will the government listen to the police chiefs and reinstate the oath to the Queen?

Hon Mr Laughren: I am wishing the Solicitor General were here today.

I am aware of the resolution. I should remind the member opposite, though, that before that regulation was changed, there was consultation very widely held—

Mr Turnbull: With Susan Eng.

Hon Mr Laughren: No, that is simply not true. The member is talking through his hat. There was very wide consultation before that oath was changed. It is not a case of the oath being changed because one or two people wanted it changed. That is simply not the case.

Mr Carr: In the throne speech this government said when it made mistakes it would admit them. Everyone realizes mistakes will be made. When they make mistakes they will admit them. Petition after petition has come in from the people of Ontario requesting the reinstatement. The police chiefs and, I might add, the Metropolitan Toronto Police Association president, Art Lymer, have also called for the reinstatement. The Ontario Association of Chiefs of Police meeting in Sudbury was told changes

were made without explanation. They also questioned why the police services had been singled out for this action.

Why will the minister not listen to the people who have sent in the petitions, the police chiefs, the police associations, admit he made a mistake and reinstate the oath to the Queen?

Hon Mr Laughren: It is my understanding—and I will stand corrected if I am wrong on this—that the police chiefs were consulted on this matter prior to the change being made. If indeed I am correct and the police chiefs did support the change in the oath, then I would be very interested in hearing the reasons why they have now changed their minds. I look forward to hearing from them in that regard.

RENT REGULATION

Ms M. Ward: My question is for the Minister of Housing. In my riding there is a group of town houses on Barrington Avenue where tenants faced a 17% rent increase in May 1990. These increases were attributed primarily to capital costs incurred by the landlord. The landlord of this complex has applied for a 25% increase for May 1991. I would like to ask the Minister of Housing how our proposed rent control legislation will affect these tenants.

Hon Mr Cooke: I appreciate the question from the member, who has been very involved in and supportive of the development of new and permanent rent control legislation for the tenants of this province.

I can indicate to the member that I would have to take a look at the specific application, but if there was an application put forward for May 1991 involving a 25% rent increase, it would be highly unlikely it would qualify for that kind of rent increase under Bill 4, since Bill 4 provides for rent increases on only such things as property tax increases, interest rate changes and so forth. There was not a provision for capital, as we have explained before, because of the transitional period. So I suspect the tenants in those buildings would be protected by Bill 4.

Ms M. Ward: In addition to these increases, the tenants on Barrington Avenue are also faced with serious instances of maintenance neglect. I would like to ask the Minister of Housing how the new legislation will help resolve these maintenance problems.

Hon Mr Cooke: One of the very important aspects of the new legislation we have proposed is one that provides that when there is are work orders put against a building, if the landlord does not correct those work orders in the 30-day period he has under municipal rules, there will automatically be a rent decrease in line with the guidelines. So there will be automatic penalties. That, I believe, is something that has been shared and has been encouraged by landlords and tenants, because landlords are embarrassed by landlords who do not take care of their buildings. They want to see the quality of the apartment stock in this province maintained. So I believe the provisions in our permanent rent control legislation provide better protection for tenants both in terms of rent and in terms of maintenance.

1450

WATER QUALITY

Mr Phillips: My question is to the Minister of the Environment. It has to do with a matter she would be aware of, particularly in Metropolitan Toronto and I think around the province. That is, we see headlines now of beach closings, of syringes washing up on the beaches. I guess what ring in our minds are some of the headlines that we used to see, "Chronic Beach Closings Must End," "NDP Proposes 5-Point Plan for Beach Closings." At the same time, the minister would be aware that in today's paper we saw a plan by the board of health in the city of Toronto to cope with this by lowering the standards, which will result, it says, in 30% more beaches opening.

Does the minister support governments that will deal with the problem by lowering the standards instead of dealing with the root cause of the pollution?

Hon Mrs Grier: Obviously the answer is no and I am glad the member in his question acknowledges that there are some very significant root causes that have to be addressed. We have begun to address them, as did my predecessor, the member for St Catharines, but that is not going to happen this year or even next year.

The news stories about the changing of the standards and the calculations flow from a decision made by the previous minister in 1988, when the Minister of Health and the Minister of the Environment agreed that the Ontario recreational water use objective should be revised. There have been, as I understand it, extensive studies and meetings going on. There is certainly no intention of lowering the standards. There is a question of revising the standards to try to make them more accurate, and I think the announcement or the statements by the medical officer of health in the city of Toronto did not quite reflect what it is the intention of our ministry to achieve.

Mr Phillips: If I might follow up on the comments the minister just made, I think it was her intent not to lower the standards but revise the standards. That is always an alert word for us, because we worry that "revising" means lowering the standards. I wonder if the minister might rather categorically today reassure the House and the people of the province that, contrary to rumours—and we are hearing rumours and I think they have been in the media—that the Ministry of the Environment and the Ministry of Health have been working to, the minister calls it, revise—we would say perhaps lower—the standards, the ministry has no intention in any way of lowering the standards for measuring the quality of the water.

Hon Mrs Grier: We are into again a semantic argument because the standard is to protect health, and there is certainly no question in my mind that the protection of public health is paramount. The determination of that is left to the officers of health in the municipalities. The terms of reference of the committee that was established in 1988 and has been working in 1989 were to collect—and I am having to quote from my briefing note—the relevant microbiological information in a summarized form. One of the difficulties, and again I am not a scientist, is that there is an organism called *Klebsiella pneumoniae* which sometimes

results from the food processing industries and the pulp and paper industries. It does not have a health significance, but when it is calculated in or part of the sample tested it boosts the count of fecal coliform. I am merely repeating what the technicians in my ministry tell me.

The intent of the exercise is to make sure we have absolutely accurate information in order that we can judge the health effects of the recreational water quality objective. That is what is paramount and that is what the member has my undertaking will be sustained.

BREWING INDUSTRY

Mrs Witmer: My question is to the Treasurer. He is aware that the ad valorem tax for domestic brewers which produce less than 50,000 hectolitres per year, which was reduced by 50% in June 1989, is going to be phased back to the full rate over the next three years, starting this month. These microbreweries in this province are small businesses which are barely holding their own during very tough economic and competitive times.

Any increase in their taxes at this time will, as the one brewery in my community of Waterloo has said, put the solvency of the company and other small brewers in question. The several hundred people who are employed by microbreweries in this province are at risk of losing their jobs if this tax for microbreweries is increased.

I would ask the Treasurer to reconsider this matter and I would ask him to make a commitment to help rejuvenate and support these small businesses in these difficult economic times.

Hon Mr Laughren: I appreciate the question from the member for Waterloo North. Several members of the assembly have approached me on this problem, including the member for Kitchener, and because I am concerned about it as well—and I almost hesitate to say this because whenever I mention I am going to take a look at something, there sometimes can be wrong assumptions made about that process—and because of the persistent delegations to me on this matter, I did ask the officials in Treasury to come back to me with an indication of to what extent the problems in the microbrewing industry are indeed tax-driven, because I think we need to sort that out.

I understand why no one wants to pay more taxes. At the same time, I felt at the time of the budget it was not an unfair change to make, but I do appreciate the member raising it.

Mrs Witmer: We have had an opportunity to dialogue with several of the microbreweries in this province and we are aware of the fact that at least one brewery did go bankrupt last year because of taxes. In fact half of the microbreweries did go bankrupt last year. As I have indicated, the remaining microbreweries are very sincere in their belief that the increased levels of taxation due to come into effect this month are also going to cause them to close their doors and lead to further job losses.

I believe the present reduced rate of taxation for microbreweries is a fair policy. It will help ensure the viability of the small-brewery business sector. I would like to ask the Treasurer if he would consider the permanent cancellation of the increases due to come into effect this

month, at least until the matter can be reviewed by the government's Fair Tax Commission.

Hon Mr Laughren: I do not think this is a matter for the Fair Tax Commission to look at, quite frankly. Also, I would remind the member for Waterloo North that the microbreweries—and I do not say this in any kind of satisfied way at all—that went bankrupt in the past year went bankrupt with the lower tax regime. So it was not caused by going back to the regular level of taxation, which is one of the reasons I wanted to take a very careful look at the extent to which we believe or do not believe, whichever the case may be, the problems are caused by the level of taxation in the province.

I make a commitment to the member and to others in the assembly who come to me with this matter to take a very close look at that. I really do not want to give the impression that we are on the verge of changing the tax pledge in the budget but rather that we will take a careful look at it.

AGRICULTURAL AND FOOD PROCESSING INDUSTRIES

Mr Johnson: My question is for the Minister of Agriculture and Food. Recognizing that research is important to the continued viability of agriculture and food in Ontario, can the minister indicate what his ministry is doing to ensure research conducted is relevant to the agriculture community and the food industry?

Hon Mr Buchanan: Research in the agriculture and food industry is very important in order for it to continue to be viable and important in this province. The relevance is maintained through two different committees. There is the Ontario agricultural co-ordinating committee, which looks at all the needs and possibilities that come in to the ministry.

Through a number of subcommittees with representation from the agriculture community, the food industry and the research organizations around the province, they examine the needs and examine various proposals. Once they have determined what the needs are, they make recommendations to the Agricultural Research Institute of Ontario, which again screens the needs and applications that come in and makes recommendations to my ministry so that we can fund the necessary research to maintain the ongoing viability of the industry in Ontario.

Mr Johnson: Can the minister indicate what support his ministry is providing towards agricultural and food industry research?

Hon Mr Buchanan: In terms of the dollars, we provide significant dollars for research in the agriculture and food industry in Ontario because it is the second most important industry in the province.

In fact, in May we announced a new \$5-million program for the food processing industry. It will help the food processing industry, which has done research and development work, to expand its commercial production and help it to be competitive in this very competitive world we live in.

Further to that, we also provide \$29 million to the University of Guelph through agreements we have between the ministry and the university to do research projects in the agriculture and food sector.

Finally, we also provide \$15 million to the agricultural colleges to do research work, along with the Horticultural Research Institute of Ontario, which does research in the ag and food area.

I think these are significant amounts of dollars we are spending in an ongoing way to enhance the agriculture and food industry in Ontario.

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HOSPITAL SERVICES

Mr McClelland: My question is for the Minister of Health. On 13 December 1990, I asked her predecessor, the former minister, to reaffirm her ministry's commitment to the Chinguacousy Health Services Centre, which the minister will know is located in the riding of Brampton North. To date we have heard no specific mention of funding allocations for community-based health care organizations.

This is a very important project, not only for the people of Brampton North but indeed, as has been indicated by her ministry, one that could serve as a model for communities to follow right across the province and perhaps indeed across the country, and one that the former government had committed to see through to its timely completion.

It has been six months since I first put the question to the minister's predecessor. The response was, "We'll get back to you shortly and get back to officials at Chinguacousy." Will the minister today commit funding or indicate what she is going to do about funding and specifically allocate for this very important project so we can get on with it immediately? People have been waiting a very long time, as the minister knows. It is an extremely important project for the future of that community, and indeed for health care across the province. Is the minister prepared to commit today to fund this very important project?

Hon Ms Lankin: No, I am not prepared to commit today. I feel it is a difficult question to place in the House and to expect that kind of answer. I feel at a disadvantage because I do not know anything about this particular project; I will be honest with the member. I am sorry if he has raised that question with the former minister. It had not been brought to my attention. I will undertake to find out about it and inform the member early next week as to its status.

Mr McClelland: The minister will forgive me for being a little bit concerned. No personal anger is directed to her, but frustrated anger, quite frankly, that she is not aware of that, inasmuch as it has been said by her ministry officials that it is one of the most important projects in the province. If that is the case, I have to ask the question, why is the minister not aware of it? Her predecessor responded and said we would get a response and we have been waiting. Surely it was directed to her policy people. The people in Brampton have been waiting a long time. The population is projected to approach 400,000 people.

The minister made a commitment in a response to a question put by my colleague the critic for Health on 6

June. She said it is important that we build a consensus that community-based health care is important for the future of health care.

This is the project. It is important. This is the project that has been singled out as perhaps the most important, a 46-acre site waiting for development to provide an opportunity for her ministry to demonstrate what is possible, the leading edge of health care, and she is not aware of it.

I appreciate the fact that the minister will get back to me, and I am looking forward to that, but I can only stress that people are getting very frustrated and indeed angry about the lack of commitment and response from her government. There was a commitment from the former government to proceed.

The Speaker: And your question?

Mr McClelland: We have indicated it is important. Can the minister please do something to expedite this and get on with it? We have been waiting, with 46 acres sitting there. Can we get something very quickly, please?

Hon Ms Lankin: I did indicate to the member that I would get a response to him on the status of this early next week. I can understand the frustration he is expressing, given that he has raised this question in the House before, and I apologize for the fact that I am not aware of the project. I do not know if it is, as he indicates, the model project, the most important in the province. I am perplexed as to why I would not have been briefed on it myself, but quite frankly I cannot answer that question for the member.

We are certainly going through a process of looking right across the province in terms of the state of a number of projects that have been on the table for a long time and have had some indication of support. In general, let me say that his restatement to me of my commitment to community-based health care is well stated, and I will stand by that. I really am not in a position to be able to give him any more detail until I look into it, and I will do that.

RENT REGULATION

Mr Tilson: My question is to the Minister of Housing. As the minister knows, under Bill 4 many landlords were caught unfairly by his moratorium on capital expenditures. For example, take a landlord who applied for rent review under the Liberal legislation for rent increases due to necessary capital expenditures. This landlord would have received approval for those increases, borrowed the money from a bank to complete the work, and then he would have waited to hear from the Ministry of Housing about when he would be able to activate the increase.

In the meantime, the new NDP government changed the rules and imposed a moratorium on rent increases due to capital expenditures. Suddenly, the landlord who has borrowed the money and spent thousands of dollars on his building is out of work and faces bankruptcy.

In the House, throughout the hearings on Bill 4, the minister told us not to worry; Bill 4 was only temporary and the permanent legislation would provide relief for people who would be hurt by it. Why will the minister not honour that commitment to provide relief when he knows beyond a shadow of a doubt that 3% will not meet this immediate need?

Hon Mr Cooke: The Conservative critic for Housing consistently raises questions in the House whereby he thinks the problems in the housing sector are going to be resolved by raising the price of housing to the consumers of this province. I do not believe that is going to solve the affordability problem at all. I think what we needed to do was to look for a fair rent control system that will work, will be responsive to the needs of landlords and tenants and will be fair. I think that is what we have done with the permanent legislation. It does address the capital needs of landlords in this province and it does offer real protection for tenants. Those were the goals, those were the principles that we followed and that is the bill we have delivered on.

Mr Tilson: That is not the question I asked. I am only trying to help the minister remove the tag he has on him as minister of slums. There is a way; he can resolve the issue of capital expenditures if he amends his legislation.

Under this legislation it is inevitable that some landlords will go bankrupt. I have heard from landlords who are on the verge of bankruptcy. The minister and I both know of at least one landlord who has already gone bankrupt as a result of Bill 4. It has been proven again and again that rent controls do not work. Presumably he and his colleagues have studied jurisdictions around the world and he knows they do not work. Buildings will close down and people will be forced to look for alternative housing. The minister knows this scenario will become a reality under Bill 121. What will he do with these empty buildings, and what will he do for the people who are put out in the streets?

Hon Mr Cooke: I simply say to the member that if he objectively looks at the initiatives this government has begun in the housing field, whether it is in rent control or whether it is in the supply of co-op and non-profit housing, there is only one conclusion he could come to, and that is that this government is not the government of slums; this is the government of affordable housing for the people of this province.

MOTION

REFERRAL OF BILL 25

Miss Martel moved that the order for third reading of Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act, be discharged and the bill be referred to the committee of the whole House.

Motion agreed to.

1510

REPORT BY COMMITTEE

SPECIAL COMMITTEE ON THE PARLIAMENTARY PRECINCT

Mr Duignan from the special committee on the parliamentary precinct presented a report on restoration proposals for the Parliament Building and moved the adoption of its recommendations.

Mr Duignan: At this time I would like to pay tribute to the other members of the committee, the member for London North, the member for Essex South, the member for Oxford, and you, Mr Speaker, as co-chair of the committee,

for working in a very non-partisan way and coming up with a fine set of proposals and recommendations contained in the master plan.

The recommendations contained in the master plan will enable this building to be repaired and improved according to a vision collectively supported by all members in this place. I believe this is an historic and unique opportunity to plan for the future while preserving and respecting the rich history which has taken place within these surroundings.

On motion by Mr Duignan, the debate was adjourned.

ORDERS OF THE DAY

House in committee of the whole.

EDUCATION AMENDMENT ACT (MISCELLANEOUS) 1990

Resuming consideration of Bill 30, An Act to amend the Education Act.

Sections 5 to 7, inclusive, agreed to.

Section 8:

The Acting Chair (Mr Abel): Mrs Boyd moves that subsection 8(3) of the bill be struck out and the following substituted: "Section 4 shall be deemed to have come into force on 20 December 1990."

Hon Mrs Boyd: All of section 8 of this act governs the coming into force of the section. The first subsection deals with the items that are not related to the freedom-of-information section. All of those sectors would come into force on royal assent. The sections related to freedom of information retroactively come into force as of 1 January 1991, the date on which the Municipal Freedom of Information and Protection of Privacy Act came into force for the boards. The retroactive application is to legitimize the boards' collection practices for the purposes of the OSR, retroactive to the date the freedom-of-information act applying to them came into force and the date the OSR guideline came into force.

Subsection (3), the one with which the amendment deals, is dealing with the sharing ratio between public and separate boards of designated teachers' sick leave gratuities. That is covered under section 4 of this act. It was to have been retroactive to 1 January 1989, the reason being to accommodate boards that had already agreed between themselves to a sharing ratio different than the one in the act. Some of the agreements date back to 1989, and the boards are ready to pay out those gratuities. The retroactive application would legitimize their agreements.

The amendment by motion would make section 4 of the act retroactive to 20 December 1990, and the reason for that, as was the reason for the date change earlier by amendment, is that 20 December 1990 was the date that Bill 12 received royal assent.

Motion agreed to.

Section 8, as amended, agreed to.

Section 9 agreed to.

Bill, as amended, ordered to be reported.

PLANNING STATUTE LAW AMENDMENT ACT, 1991

Consideration of Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act.

Mr Ferguson: This is but another fine example of this government's willingness to co-operate with both sides of the House. This bill should be subtitled "Co-operation not Confrontation," because this has been a fine example of co-operation between not only this member but the member for Grey, the member for Carleton, and the list goes on.

I would like to propose an amendment. It was the intention of this bill that it come into effect on 26 July 1990, and that is the key point behind the motion, which I understand has agreement from all sides of the House.

The First Deputy Chair: Mr Ferguson moves that subsection 49a(4) of the act, as set out in section 1 of the bill, reprinted as amended by the committee of the whole House, be amended by striking out "before the day on which this section comes into force" and substituting "after 26 July 1990 and before the Planning Statute Law Amendment Act, 1991 received royal assent."

Mr Ferguson: This subsection has been added to provide the Minister of Municipal Affairs with some discretionary authority to give effect to all or any part of a will proposing to subdivide land. As subsection (4) is now drafted, it would allow the minister to exercise this authority only for the wills of those people who died—and here is the key part here—before the day on which this section comes into force, that is, before 26 July 1990 and before the bill takes effect.

This of course is unnecessary and is not what any of us on either side of this House intended the bill to do. Rather the bill shall provide for the minister the ability to exercise this authority for the wills of those people who have died in the interim, that is, between 26 July 1990 and the time this bill receives royal assent. Accordingly, I have moved the same and I understand it has agreement from all three parties.

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Mr Sterling: This amendment was inserted in this act at our request and we appreciate the parliamentary assistant for the Minister of Housing making this change to reflect what was intended in this Legislature. We therefore support it wholeheartedly.

Mr B. Murdoch: I also would just like to echo that I appreciate the effort that went on with all parties to straighten this out. There was a bit of a problem at the start. We were concerned that some people might get caught in this act, that they might go for a will and get caught because legislation was going to be passed and retroactive. We certainly appreciate the work that went on with both sides and with the parliamentary assistant, the member for Kitchener, so this is happening now, and I support it.

Mr Bradley: I seek some clarification on this, having heard the two representatives of the third party speak on it. Our Municipal Affairs critic is unavoidably absent at a funeral today and cannot be here, so I am going to ask for clarification. Is this in fact casting a wider net or a narrower net? The interpretation I heard from the parliamentary

assistant led me to believe it was a wider net, and what I have just heard from the members of the third party—and I could be totally incorrect in this—is that it narrows the net.

Mr Sterling: Since this was put in at my instigation, perhaps I can help the member for St Catharines. Really it narrows the net in some way, as the member has described, only in that if someone had passed away between 26 July 1990 and when this bill would receive royal assent, which would be today or some time in the very near future, and that person who had made his will prior to 26 July, he would have prejudiced himself because today if somebody is in that situation there is a valid severance, but the amendment which was put forward by the parliamentary assistant requires the municipality to pass a bylaw requesting the minister to okay what the will in fact has done during that period of time.

While it narrows the net, it also throws it back on the municipality and the minister to come to a combined decision that the whole idea of the will was not to avoid the Planning Act by setting up large subdivisions on the escarpment or anywhere else. It is somewhat of a sawoff as to what I sought and somewhat of a sawoff in terms of the minister trying to maintain the integrity of the Planning Act and avoiding this awful scheme that was dredged up by some people in Ontario to utilize death to avoid the Planning Act.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 to 4, inclusive, agreed to.

Bill, as amended, ordered to be reported.

On motion by Miss Martel, the committee of the whole reported two bills with certain amendments.

TREASURY BOARD ACT, 1991

LOI DE 1991 SUR LE CONSEIL DU TRÉSOR

Mr Laughren moved second reading of Bill 82, An Act to establish the Treasury Board.

M. Laughren propose la deuxième lecture du projet de loi 82, Loi créant le Conseil du Trésor.

Hon Mr Laughren: Bill 82 is an act to establish a Treasury Board in Ontario. Upon assuming office, the new government found that the budget, fiscal planning and expenditure management system in place was simply inadequate, particularly given the current economic and fiscal environment.

I would like to be specific. Responsibility for expenditure management and planning was fragmented and dispersed between the Ministry of Treasury and Economics and Management Board. That led to inefficiencies in budgeting and program management. No clear leadership was being brought to the expenditure management and planning functions of government. There was no effective mechanism for reviewing and evaluating existing programs and services to ensure that full value was being achieved for taxpayers' dollars. Financial and policy decision-making were not integrated well. Financial decisions were made in a longer-term framework. Often proposals would have minimum financial impact at startup but would be sizeable and significant in the longer run.

The new Treasury Board will have to deal with a major economic downturn, which is impacting severely on our revenues and our expenditures. The deterioration in economic conditions made it imperative that the provincial deficit be increased this year to fight the recession and to prepare the economy for recovery.

Moreover, it was also felt to be essential to reduce the deficit as the economy recovers. A three-year fiscal plan was presented in the 1991 budget to reduce the consolidated deficit—by that I mean operating and capital deficit—from \$9.7 billion this year to \$7.8 billion by 1994-95, and we have provided a commitment to eliminate our operating deficit entirely by 1997-98.

The medium-term fiscal plan presented in the budget provided for restraining expenditure growth from 13.4% this year to a range of between 6% and 7% in 1992-93 and thereafter. At the same time there will be continued expenditure pressures on government, including on our health care system due to the aging population, a continued need for welfare reform, rising public debt interest charges and a need to provide appropriate skills and job training, just to mention a few, all of which will need to be managed within the 6% to 7% rate of expenditure growth.

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It should be understood that this means average increases in most other areas will in fact be well below the 6% to 7% range. Within this context, it was clear that a fundamental reform was necessary if the new economic and fiscal realities were to be managed.

The bill before members seeks to establish the new Treasury Board to consolidate and assume all expenditure planning functions that currently fall under either the Management Board or the Ministry of Treasury and Economics. This will also involve the merger of the programs and estimates division of the Management Board secretariat and the fiscal planning policy branch of the Ministry of Treasury and Economics to streamline the expenditure management and fiscal planning activities of this government.

The government also faces the challenge of improving the way we deliver programs and services. We believe a stronger focus is needed on the operations of government. In this respect, Management Board will be reconstituted to provide a dedicated and strategic focus to the operations of government. I cannot think of a more dedicated, focused person than the present Chair of Management Board, who is beside me as I speak.

This is the enhanced role of Management Board: human resources and an enhanced employer role in the management of government and labour relations, information management, communications and technology, providing enhanced corporate policy, strategic direction and standard-setting, recognizing the critical importance of technology in improved service delivery and customer service, leadership in management practices and promoting increased management delegation of authority with a strengthened commitment to accountability.

The Chair of Management Board will be a key member of the new Treasury Board to ensure that these human perspectives are appropriately integrated with expenditure management.

As outlined in the act, some key roles and duties of the Treasury Board will include preparing and reviewing short- and long-term expenditures and expenditure commitments, directing and establishing policies for the preparation of estimates and supplementary estimates, controlling expenditures of public money within the amounts appropriated or otherwise provided by the Legislature and reviewing and evaluating new and existing programs of ministries.

It is important to emphasize that the Treasury Board will provide one of three focal points for the central strategic leadership and management of government. These focal points will be comprised of, first, the cabinet office and policy committees to direct policy, planning and development; second, the Management Board of Cabinet to lead the management of government operations; third, the new Treasury Board to oversee all financial and expenditure management and planning issues.

The new expenditure management and planning process that is to be implemented by the Treasury Board will serve to better integrate the policy and resource allocation decisions of government. The Treasury Board will also ensure a one-window approach for all financial management functions, which currently are dispersed and fragmented between Management Board and Treasury and Economics.

Similarly, the Treasury Board will act as a broader decision-making forum on the fiscal plan and framework that is currently determined primarily by the Treasurer. The new Treasury Board will also provide a much greater emphasis on multi-year planning and the review of base budgets and programs.

In conclusion, the new Treasury Board is a critical piece of the framework this government must put in place to effectively manage both its policy and fiscal agendas. It is also in keeping with this government's philosophy of meeting our social and economic priorities through effective fiscal management and a more open and democratic process. I look forward to the Premier's announcement of my other cabinet colleagues, besides the Chair of Management Board, who will be joining me in this challenge and serving on the Treasury Board.

Mr Bradley: I appreciate this opportunity. This has been a long-awaited bill in the Legislative Assembly even though, having watched the performance of this government in terms of fiscal management over the last nine months, I feel I would come to the conclusion that the problem is not whether it calls it Management Board or Treasury Board; the problem is that the people who occupy those positions are not sufficiently experienced or dedicated to the kind of efficiency that is necessary in government.

I have listened to the Treasurer go on at some length about the purpose of this. They have a Treasury Board federally. Frankly, despite his description of what the new duties and responsibilities will be—the Treasurer will think I am cynical when I say this—my guess is that the real reason for this is to cover up for the fact that they have done such a bad job of managing the expenditures of the

government so far. For that reason, they thought they would set up a Treasury Board, calling it something different.

There is another theory some people would advance, that it is a move to strengthen the power of an individual within cabinet, that one person would have all the power within cabinet. I have speculated on many occasions that the Treasurer of this province will not necessarily be the member for Nickel Belt for ever, but the member for the eastern end of the city of Toronto who has risen to some prominence.

I saw a long article in the Toronto Star about her. They call that a puff piece that you get early on in your jurisdiction and your tenure as a minister. She will find that about four years from now they will not be quite so generous. But it is very nice when she is new to that responsibility that she should get that, and I do not begrudge that to the member for Riverdale.

Hon Ms Lankin: Beaches-Woodbine.

Mr Bradley: Beaches-Woodbine. I knew it was one of those ridings where there was a long-time NDP member, a respected NDP member, and she is following in her footsteps to be an equally well-respected individual within the government caucus.

Hon Mr Laughren: Hear, hear, what a guy.

Mr Bradley: I am being uncommonly kind this afternoon. There were some hints of a good reason to be kind to the government, but I never see them come to fruition at any time.

Anyway, dealing with the specific bill that we have before us, there is certainly a need for some fiscal responsibility on the part of this government. I suspect, and I have said this in my budget speech and on other occasions, that what happened in the first crack at the job of government was that a bad job was done of evaluating each of the ministries.

I have said on many occasions as well in the House that I am not one who believes the government was not in a position to run a deficit in the midst of a recession, particularly a recession as deep as this. The quarrel is really over the size of the deficit. Now the Treasurer keeps talking about supply-side economics and accusing me of being a proponent of it simply because I do not want to see the Treasurer of this province tax people out of Ontario.

Wherever I go, whether it is in Azilda, Bismarck, St Catharines, or Beaches-Woodbine, the people say to me, "Our taxes are too high and we need a government that will evaluate expenditures very carefully and eliminate programs which are not necessary, and perhaps bring in new ones that are necessary."

The Treasurer calls that fine-tuning. Fine-tuning, of course, will be announced, I believe, next week in the House when the Treasurer announces the withdrawal or modification of his tax on auto workers that is so detrimental to the automotive industry in this province and does not solve any environmental problems.

This measure establishing a Treasury Board at least focuses some attention on the NDP government on the matter of fiscal responsibility. There are some new programs the government is bringing forward that merit the

support of all members of this House and there is going to be a need for money for those programs.

The Chair of Management Board, who is here today, is also the Minister of Health. There is nobody who does not recognize that the costs of health care in this province are going to rise somewhat, particularly if all the necessary services are provided. If there is a new computerized axial tomography scanner, a second CAT scanner in the Niagara Peninsula, there may be some marginal increase in the costs, but there is a recognition that it is a needed and essential service.

If the Chair of Management Board and Minister of Health is going to have sufficient flexibility to introduce new programs or new facilities, then she is going to require a look at some of the other expenditures.

1540

We in the opposition will perhaps sometimes chastise when programs are removed. The Minister of Education has gone through this process. She has removed the Ontario scholarship awards in this particular year, and that was not an easy decision. I suspect she did not do that with a wave of the hand. I suspect there was a lot of discussion of that measure within cabinet. I am critical of it. I do not think it was a good move. Nevertheless, it is part of the process a government has to go through to weigh its priorities, and that is what I see the Treasury Board of cabinet doing.

Unfortunately, this year we have a \$10-billion deficit. Next year, I see the Treasurer projects somewhere around \$9 billion, and in the two years after somewhere around \$8 billion. I would have thought, recognizing that we are in a difficult position economically at this time, in a recession, there was going to be a substantial increase in the deficit. I think to pretend otherwise would simply be overly partisan or unrealistic. I did not anticipate it would be \$10 billion and I think that is exceedingly high for this province.

What I am even more concerned about is seeing the projected deficit next year and the year after and the year after, and the accumulated debt that brings to Ontario. We have in our gallery at the present time young people who are in the school system. I said at the time it would cost \$5,000 for every man, woman and child in the province. A friend of mine corrected me and said: "Forget about every man and woman in the province. It is the children who will assume those costs." Part of those costs will be the interest payment on the debt.

I think the establishment of the Treasury Board, and the reason I will support this bill, will focus the attention of the government on government efficiency. I suspect what happened in this exercise, because the government had just come off the election campaign trail, was that all the ministers went to the Chair of Management Board, who is a generous person and an understanding person on many of the programs that people have put forward. I sat on the Management Board of Cabinet for years and if you are not unpopular with your colleagues, you are probably not doing an appropriate job. That comes with time. The first year you are more popular and in the years after that you get less popular. You certainly are not allowed to smile

if anybody makes a presentation to the Management Board of Cabinet.

First, what is really required each year is a careful assessment of the programs. There are a lot of existing programs in government today about which you wonder why they continue to exist other than that they have been there for ever. It is very difficult to remove them, because if you remove them the opposition will be up to say, "You should not remove it because it is an essential service." You will have another situation where some members of the public with a vested interest will say: "You can't remove that program. Remove something else." It is a difficult exercise to go through. Nevertheless, it is necessary.

Second, in times when you are in a pinch for money, you have to make sure you do not necessarily introduce new programs that do not have to be introduced in that fiscal year. That is what Management Board was supposed to have been doing and that is what Treasury Board no doubt will be doing as one of its responsibilities outlined by the Treasurer.

The third thing is implementing programs in stages. Very often the minister who is proposing a program and the advocacy groups that are supporting it would like to see full implementation of the program in one fiscal year. Very often it is wiser to implement the program over a number of years so that the fiscal impact, the financial impact, is not so great. The other advantage of this is that the government then has an opportunity to see whether that program is going to bankrupt the government and whether it was ill-conceived in the first place, as I have described the tax on auto workers. We have to make sure that those programs, when implemented, are done in appropriate stages.

What they have to look at as well is the long-term implication of programs. The Treasurer mentioned it in his initial remarks and I think it is important. I wish he and his colleagues had done it this time. They have not. I am not necessarily predicting they are going to do it in the future, but at least they will have a mechanism to do it.

Again, various ministers bring forward a program. It may have been on the agenda for power that the NDP had during the election campaign. They may have a number of ministers say: "Look, we made this promise and it is an important promise. It is a good program." But the Chairman of Treasury Board, as I presume the person will be called in this case, will have to look at the financial implications of all those programs.

The Treasurer, now nine months into office, is no doubt becoming more unpopular with his colleagues because he is the person who begins to understand the financial implications of what they are proposing. I do not imagine there are too many of his colleagues coming to him saying, "Would you please spend less money in my riding, or would you please spend less money on this program or that?"

Interjection.

Mr Bradley: That is a definite change. The Treasury Board will have to look at those long-term implications. The Minister of Health is wrestling with the problem of

long-term health care. It is a good move to move into long-term health care. In going into it, she has found it is not without its costs and that some of the initial start-up costs and some of the initial operating costs could be great in the long term. She has to weigh that against some of the other immediate pressures.

I can recall taking into account strikes that took place, for instance. If the public health nurses went on strike, they did not have the clout that others had to deal with these particular situations. There were not any people standing up clamouring to have the public health nurses back because they provided a different kind of service, some diagnostic health care, but largely preventive health care. I tell members that if people in the acute care sector say they are going to withdraw their services, the government moves quickly and there is a good deal of pressure on the minister, some of it brought by those of us in opposition, to increase expenditures for hospital purposes. She has to do this at the same time she is doing it for long-term health care, so we have to look at the long-term implications.

The other thing I hope would happen, and the Treasurer alluded a bit to this, is some co-ordination of expenditures and activities between ministries. I get the impression, and I have had it for some time, that there is some rivalry between ministries. The Ministry of Community and Social Services and the Ministry of Health have mandates that overlap from time to time. While some good efforts have been made to co-ordinate their activities, delineate their responsibilities and effect efficiencies while providing good service, I am convinced that still is not where it might be, that there is not that separation of responsibilities when necessary nor the kind of co-ordination and co-operation that is necessary. I hope the establishment of the Treasury Board will provide that.

But the establishment of this particular segment of government in itself will not solve the problems. It is a mechanism. It allows the Treasurer, the Chair of Management Board and whoever assumes this position of Chair of Treasury Board to be able to do what those of us in opposition have advocated and what some in government perhaps are advocating, certainly what those in the public are advocating, and that is to bring about efficiencies in government. Right now the expenditures of this government are out of control. I thought that at budget time the Treasurer simply went through the combination, opened the vault and every paw from every one of the ministers came in to grab a segment of money out of there. The money obviously was spilling on the floor as they were heading out and the expenditures grew over 13% to \$52 billion.

I could be wrong in this, but I suspect the Treasurer may want to look this up some time and confirm or deny for me that the expenditure for the province of Ontario is about fourth in North America in size of budget; it would be the US federal government, the Canadian federal government, the state of California and I would suspect we may be fourth largest in our budgetary expenditure.

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One of the reasons is health care. That is a very good reason for our expenditure level being where it is, remembering that the state government has not nearly the health

care bill we have here. I was looking at figures one day and saw that the actual health care component of our budget was higher than many state budgets, and that is because Canadians and the people in Ontario have indicated a desire to see expenditures in the field of health.

I indicated early on that I would not be speaking extensively on this particular bill. If it ever goes to committee, there will be an opportunity to discuss it further, or later on in other debates that take place, even if it is not a debate on this bill.

I think it is essential that there be an establishment of this kind of component. It really boils down to the will, the ability and the desire of the government to be efficient more than any mechanism. But if the establishment of this ministry or of this component of government will assist those who have the responsibilities of office today in focusing on that particular issue and doing that job better, then I do not think it would be very responsible of those of us in opposition to be opposing that effort and the establishment of Treasury Board. I simply hope that with the establishment of Treasury Board we bring about the kinds of efficiencies in government which will allow generous expenditures in the areas that are a high priority and very much needed by our population, and an elimination or limiting of those expenditures that are not essential to provide service to people in this province.

Hon Ms Lankin: I will respond as the Chair of Management Board. In general, I have to say I agree with much of what the member spoke to with respect to the need for vigilant review of expenditures on programs. We are no longer in a situation where we can look at new programs just as add-ons on top of what is there. There has to be a comprehensive program review and that is exactly what we are moving into.

There are two things I particularly want to touch on; first, the rather gratuitous comments about the process that went on this year at Management Board. I need to say there was a significant review of programs in the very first few months of government and getting to know ministries. We cannot ignore the fact that through that process \$700 million was cut out of budgets. That is the largest amount of money ever found in any kind of program review in the history of the Ontario government. I think that is important, although I know the member often makes comments and has criticisms with respect to some of those areas of cuts we have undertaken. I understand these things are not always popular, but they are important.

Second, I could not agree more with his comments about the health care system in terms of the spiralling costs and our need to manage them. Those are exactly the kinds of measures we are putting in place.

Last, I just want to make a brief response with respect to the sole focus of his comments, the efficiency and management of our finances and the fiscal responsibility. The other equally important part of this is that there has not ever been a government that has spent the time, resources and energy in looking at human resources, information technology and the other important issues that need to be done that were buried beneath the expenditure control function of Management Board. I see that issue within the

new or reformed Management Board as equally important to the creation of the Treasury Board.

The Acting Speaker (Mr Villeneuve): The honourable member for Parkdale is not in his seat. Will you please resume your seat.

Mr Ruprecht: You have of course seen this immediately and I really appreciate that.

As our colleagues have indicated earlier, we are delighted that the Management Board will be reconstituted to provide for strategic focus and enhance corporate policy, but I expect that the new Chairman of Management Board or Treasury Board will not be chairing over the deindustrialization of Ontario. I think that should also be part and parcel of the focus of this new policy of Treasury Board. The question necessarily remains, what is the chairman going to do about stopping the haemorrhaging and bankruptcies and moving corporations south of Ontario, either to the United States or Mexico? They will need every aspect of thinking from Mr Laxer and other people who already have indicated the problem very specifically, namely that the deindustrialization of Ontario has to stop.

I think that chairman has to ask himself or herself later, what incentives will they produce? I know it is great that we want to introduce greater efficiency into the Treasury Board. However, the question still remains: What incentives will they produce? Will they reduce taxes on gas? Will they reduce income taxes? What will they do? Talking about efficiency, I hope they will also introduce some policies that they will address themselves directly to the kinds of issues that are essential in maintaining the jobs and the corporations in this province.

Mr Sutherland: I just wanted to make a couple of comments in response to what the member for St Catharines said. I too agree with most of what he said. I thought a couple of other comments were a little gratuitous, as the Chair of Management Board said. That was his comment about indicating that cabinet members were not dedicated in their attempt to control expenditures. Knowing fellow cabinet members, I would disagree with him on that.

He also made the claim that expenditures are out of control. I disagree with him on that unequivocally. I think there is a sense to control expenditures.

The member for St Catharines was in the House yesterday when his colleague the member for Renfrew North gave a very eloquent dissertation about the state of the economy and government deficits, indicating that no Treasurer would be able to get away with a deficit less than \$7 billion, be it the member for Brant-Haldimand or any other Treasurer. The comments of the member for Renfrew North about funding issues and taxation issues were very well received and were good commentary.

I find it interesting that today, after hearing that, the member for St Catharines indicated that spending is out of control when we are in the worst recession since the 1930s. We have not seen a recession have such a severe impact on the people of Ontario since that time. There is no doubt that it requires a very significant response.

Overall, I think the idea of the Treasury Board is a good one. There is no doubt that as a government you have

to make priorities and you have to make the tough decisions. Usually it is choosing between the lesser of two evils. I believe this Treasury Board will allow that to occur effectively.

Mr Phillips: I would like to commend the member for St Catharines for his thoughtful remarks and just say how much I agree with the comment he made to the Treasurer about the need to control expenditures. I think all of us acknowledge this is a tough year and that there needs to be a deficit. But looking ahead for the next seven years in the Treasurer's budget, the deficit never falls below \$7 billion. The good times are coming, as the Treasurer says in his budget, but even in the good times the deficit never falls below \$7 billion.

The debt will go from about \$40 billion, when this government came in, to about \$100 billion in 1997-98, an astonishing number. This is a point that I think the Ontario community is looking at. Yes, we can accept the need to have a significant deficit this year, but is it realistic to have deficits never falling below \$7 billion year after year? That is what is of concern to the people of Ontario.

I make another point to the Chair of Management Board, who is also the Minister of Health. The Minister of Health will know that I think it is a mistake to have one minister responsible for both of those things, as competent as she is, and there is no question of that. I sent a letter to the Premier saying it is just not right for the Ministry of Health to have a part-time minister.

I say to the minister and the Treasurer that the cornerstone of restraint the Treasurer mentioned this morning was the new agreement with the Ontario Medical Association. I repeat for him that he has no control over that. The \$5 billion will be determined not by the Treasurer but by an independent arbitrator. I just want to make certain we remind ourselves of that because in two or three years from now that is who will be the Treasurer's assistant.

1600

The Acting Speaker: The member for St Catharines has two minutes rebuttal time.

Mr Bradley: Thank you very much for the opportunity to do so. First of all, I want to say one of the reasons the government will have to exercise the kind of fiscal responsibility it has not this year—and I anticipate it really did not intend to next year—is because the Treasurer is not going to have an option, which has been available to other treasurers in years gone by. With the mood of the public right now, the Treasurer will not be able to easily increase taxes. In years gone by that was sustained. The public complained, but in the long run accepted tax increases. This Treasurer in the next few years is not going to have that luxury. That is why it is important the Treasury Board do its job appropriately.

Second, they are also under the handicap of having no business experience on that side of the House. I am not from the business community either—

Interjection.

Mr Bradley: It makes a big difference. This is interesting because they all moan. The teacher, the member for Middlesex, says, "You people, all you worry about is that."

I am going to tell the members of this House that business experience is lacking. I hope they are able to elicit it from other sources because they do not have it. I do not have business experience either, but many of my colleagues do.

Last, I want to say something the Treasurer is well aware of in this province, he is going to find expenditures dictated by courts and tribunals he will have to meet. This is what the government will be faced with. He is going to be blamed, the Chairman of Management Board of Cabinet is going to be blamed and the Chair of the new Treasury Board. Courts and tribunals will be dictating to this government how it is going to spend its money. That is why it is so important this job be carried out appropriately with the new ministry.

Mr Stockwell: I am reminded about the comments of the now Premier, then Leader of the Opposition, when it came to conflict-of-interest guidelines, that it does not make any difference how the guidelines are if no one is willing to enforce them. The question that comes to mind is that, similarly, it does not make any difference how tough the Treasury Board is on paper, if no one is willing to make it stick then they will not make any tough decisions on spending. That is really what it comes down to.

It is not a question of which board the government and the members across the House set up, how many boards they have or how many people sit on those boards or commissions, it is a question of whether they are prepared to make the tough decisions that need to be made to reduce costs and spending.

The suggestion has been made by the members opposite that spending was not out of control and the budget was basically somehow being managed properly, I beg to differ. I think spending is out of control. Anyone in today's economy would probably say a 13.4% increase in spending is excessive. If the medium-term fiscal plan is any indication, the Treasury Board is not going to be very successful at controlling spending in its first few years because by 1994-95, the government will be spending nearly \$65 billion. That is a few short years away. It is projected they will spend \$65 billion and the deficit will be reduced, if you can call it that, to \$7.8 billion.

Their suggestion today is that by striking a Treasury Board, they can fine-tune the spending. I think the Treasurer's comments were "fine-tuning." That is a favourite word of the Treasurer. In my opinion, fine-tuning is not necessary; some hard, tough decision-making is necessary. Whether they call it the Treasury Board or the Management Board, I would be perfectly happy for whoever makes those kinds of tough decisions to make them.

As I said before, it must be a little bit philosophical. I do not disagree with my friend from the Liberal Party who just spoke. There is some benefit to having some business background in making these decisions. I am not saying they all have to be business people or involved in the business community. Certainly we can have some union representation, some teachers, as he pointed out, and others involved in making decisions. But to simply suggest these decisions can be made exclusive from any business background, I think, is folly.

It seems to me that by setting up a Treasury Board or a Management Board without a single representative with some kind of business background on exactly what it takes to own and operate a business, or in fact work and operate a business from a management point of view, is folly.

The suggestion is that you consult and work together. I also agree with that. When you make decisions you consult with all parties, you take decisions and recommendations and you incorporate them in that. My only complaint is that there is no business person being put on this board who can give a different perspective. I am not saying it is the only perspective, but clearly it is a perspective that needs to be outlined.

The business community is not very pleased with this government, this budget, or the attitude this government has taken to spending. That is what the business community has said on an ongoing basis. I think it would be sensible if this government listened to some of those things. It says it wants to consult and listen. A common theme runs through the comments about this budget: it is not very responsible.

The government has before it a number of options for controlling its expenditures, and I think these are tough decisions: wage caps for the broader public sector, programming freezes, a freeze on direct operating expenditures, some of which have been debated in this House during this morning's debate. There is no indication the Treasury Board is going to be able to do the slightest thing to change this government's philosophy of trying to spend ourselves rich. It just does not work. You cannot spend your way to prosperity. That is where I think the business decisions need to be made with some background in the business world. As I said before, it does not have to be completely backgrounded by the business community, but clearly some would be nice, it would be useful.

I tend to be cynical when it comes to government boards and commissions that are set up. I find most government boards and commissions that have been struck to be—

Mr Owens: Like the CNE board.

Mr Stockwell: Yes, as a matter of fact, it does. So I guess the member struck out on that one.

I find most boards and commissions tend to waste a tremendous amount of taxpayers' money and accomplish very little. I can point to a number of occasions where we have struck committees, commissions and task forces, and we have reports this high and never is a decision made. Municipally, it works the same way; it is avoidance. In fact, it is avoidance from making a decision.

I also hark back to the throne speech of this government in which there was a tremendous amount of window dressing. The window dressing I have seen—they call them puff pieces in the paper; I tend to call the window dressing fluff—the fluff we have seen this government come out with seems to relate back to this kind of thing: we will organize a Treasury Board that will show we are interested in holding the line, interested in fine-tuning the costs or interested in saving money. They are really not interested in that at all. If they were interested in that, they

never would have let the government go on a spending spree the likes of which we have never seen before.

We are going to accumulate \$35 billion in debt in the next four years under the socialists. I suggest it is going to be considerably more than \$35 billion. We are looking at \$8 billion in new taxes. This government talks about a \$5-million saving here and a \$4-million saving there. It is a spit in the ocean, with all due respect to the government. If this is the kind of fine-tuning this government is talking about, it is simply wasting a lot of taxpayers' money and time, and creating the image that it is trying to fine-tune and make the government more efficient.

Some of the puff or fluff this government has gone through—and this is another example: standing committee on government agencies reviewing the appointments of this government. It is another bit of window dressing this government does to pretend it has a holier-than-thou attitude than previous governments. It is so farcical because all it has done—and this ranks right up there with the Treasury Board—is to refer the cabinet appointments, in council as it calls them, to a committee made up of a majority of the members of the government. That committee then recommends who they would like to interview. They can interview only one person, recommended by the government to fill the position, which generally, but not always, looks like they favour the policies of the socialist government. I am not saying that is wrong, I think that is right. If you are going to make appointments and you are elected, then make the appointments. The puff package comes in where it strikes this standing committee on government agencies, refers it there and then says it has duly gone through the process, been vetted and approved, when all that has happened is—and even the member for St Catharines can attest to this, never yet has a government member on that standing committee on government agencies voted against any recommendation the cabinet has made. It is pure puff; it is window dressing. It is laughable. Now they—

Hon Mr Laughren: Would you abolish the process?

1610

Mr Stockwell: I would abolish the process in a second, Mr Treasurer; it is a colossal waste of taxpayers' money. They go back to their communities and say: "We're holier than the Liberals and we're holier than the Conservatives. Our appointments aren't patronage because they go through an impartial, unbiased committee process."

Mr Hope: You finally see that now.

Mr Stockwell: Please stop. I said that before the government even started the committee. I said that is how it was going to operate. The government is wasting taxpayers' money. It is insulting to the taxpayers and it is insulting to me and this party. I believe it is probably insulting to the Liberal Party. Please stop it. If the government is going to make its appointments, make them, and stand up and defend them, but do not put it through this bit of fluff and pretend it is honest and sincere and these are not really patronage appointments.

Another fluff point they made—and I classify this Treasury Board announcement or the Treasury Board Act

as another piece of fluff—is the Fair Tax Commission. This government got elected making promises on the tax system, promises that were impossible to fulfil, that in no way could be accomplished. So what did the government do? Rather than go ahead and do them, which it stated it would do in its agenda for power, agenda for landfill or whatever you want to call it, it struck a commission which it never mentioned once during the election, never once in the past 35 or 50 years it has been sitting in here. All it talked about was a corporate minimum tax, making the rich pay because they were not paying, the poor people getting ripped off, etc. It always spoke that way. When it had its opportunity to introduce it, it did not, it struck a commission it had never spoken about before in its life until it got into this House—another piece of fluff.

The real laugh of all is that this commission was supposed to report back for the first time in six months, in 12 months, 18 months, then 24 months, and now it is not reporting back for three years. So all those promises the government made to the people of this province on taxes, which was really a foundation for it to be elected because I think people honestly felt they were being ripped off with their taxes, it will not even be able to implement until probably its last year and it will not get them fully implemented then. Its campaign rhetoric, I know, will be, "Vote us back in so we can implement the promises we made four years ago."

I have said all along the socialists got elected on Agenda for People. I dare them to implement Agenda for People. I challenge them to implement it. They do not have the intestinal fortitude to do it, they do not have the guts, because it is a hopeless document. It was a hopeless document thought up in a frenzy one weekend and written down by people who had no idea they were going to win the election.

Now we are coming to those three pieces of fluff: the Agenda for People, the standing committee on government agencies' review of government appointments and the Fair Tax Commission. What do we get to now? We get to a government which has been absolutely harpooned on its budget, its 13.4% increase, its \$9.7-billion deficit, its \$35-billion debt and its \$8-billion increase in taxes in the next four years. It has been harpooned on this from all angles.

The Treasurer had the audacity this morning to suggest that business supported his budget and his programs. With all due respect to the Treasurer, that is a laugh. Business does not support his programs or his budget. Maybe it is important that we do go out on this committee to tour the province so they can be very clear and tell the Treasurer they do not support this kind of budgeting and they do not think it is a good idea. If the Treasurer really believes business supports his budget, he is sadly mistaken. That is not a question on whether it is a good budget, a bad budget, or a supportable budget. That is simply on stating this particular bit of information for him. Business does not support his budget. They think it is a bad budget and they think it is driving the business community out of this province and driving a wedge between him and the government.

Having said that, I will be very curious to go out on tour this summer with some of my friends opposite so they

can hear directly from the people. Those people in the ridings across this province, probably some held by the members opposite, will be very clear, if they are business people or are involved in any kind of business where taxes have hit them and deficits are hard to accept, that they do not support it. Then when we get back into the House the next session, maybe the Treasurer can withdraw that statement, because, en masse, business does not support this budget.

Hon Mr Hampton: That is all that matters, eh, business?

Mr Stockwell: No, I never said that. I say to the Attorney General that is a rather unfair analysis of what I have said, and if he had been here during the whole period of time he would have seen that I said "one sector within the government," so maybe if he had sat here and heard it he would not have made that kind of silly statement.

I would like to make a couple of more points. The other argument put forward by this government is that there needs to be some human resource management. I will go on record as saying that whoever gets this responsibility—apparently it is Management Board—for human resource management, it is going to cost the taxpayers of this province a considerable sum of money. The savings they will accrue through the Treasury Board enactment, the savings they will accrue through making that board a going concern, they will easily spend, if not spend more, on human resource management. I know the socialists and I know how they like to spend on certain programs, and they love to give you all the rhetoric and they get into groups and they have group hugs and talk about all this resource management and the computer management and exactly how much money they are going to save you, when all that ever happens is they spend. They spend and spend and spend, with the thought that some day they will save some money. With all due respect, those savings never accrue and it costs a considerable sum of money to staff and pay for the program initiatives that are sponsored through programs such as human resource management.

Mr Speaker, I guess you were shocked at how fair and evenhanded I was in commenting on the Treasury Board Act, but after spending a number of years in local council and dealing with these kinds of issues, I always believed the system in place at the time was probably an efficient, effective system and anyone who wanted to expand that system was simply expanding it to cover up for shortcomings. If they were spending more money on staffing, which they would have to do, they would get back reports and ideas that they easily could have done through the old process, and what we are going to find here is something that will be very clear. In the next couple of years they are still going to spend \$65 billion. In 1993-94 they are going to still have \$35 billion in debt; I guarantee it, and it will probably be more. We are still going to see \$8 billion in new taxes. We are going to see percentage increases in the double digits for the next three or four years.

The Treasury Board will be a dismal failure because of one simple reason. It matters not how many boards and committees you have. It matters not how you set them up. It matters not how they report. You must have a philosophical

approach, when you are looking for cost reductions, to find cost reductions, and if you are not prepared to find them, you will not make them, and I will say categorically, the socialists in the province of Ontario are not prepared to make serious reductions in spending because they cannot help themselves. It makes them survive. They cannot stop spending.

1620

Mr Bisson: I, too, would like to be fair in this debate, the same as our counterpart the member for Etobicoke West. Just a couple of very quick points. One point was the question on the Fair Tax Commission. If he had taken time to at least peruse the budget he would have found out that indeed we did come through in some of the things that we talked about in the Agenda for People and what the Fair Tax Commission is set up for. If he would have read, the member would have noticed that people with incomes of over \$80,000 per year had a tax increase in order for them to take up some of their responsibility, and those below some \$24,000 are not paying any tax whatsoever to the province of Ontario. The whole question of the Fair Tax Commission is something that is ongoing and recommendations are coming forward over the three-year period and they will be implemented as we go along.

I then point back to the taxation system. I would tend to agree 100% with the point that we do have a regressive tax system, but I would point out to people that it was not New Democrats who put in place this tax system. I do remember 44 years of Conservative government and other governments in place that were not ours that put this tax system in place. We do intend to address that over the next four, eight, 12 years, whatever, by the grace of the voter.

The other thing is, I would point to the deficit. The question of the deficit the member is totally aware of. I did a little bit of quick mathematics and found out that the federal government has increased the federal deficit by an amount equal to our provincial government's total budget per year. Some \$50 billion per year has been added over a period of seven years at the federal scene. This is by people, yes, who are from the business sector. It is not to say that the business sector does not have something to add to this government or any government, but surely it does not have all of the answers. I look back at our federal counterparts, who are primarily people from the business sector, who gave us such things as the dismantling of FIRA, the free trade agreement and all kinds of wonderful legislation that has put this province in the mess that it is.

He talks about group hugs. Yes, we do want to consult with the people out there, including the business sector, and it is not group hugs; it is working to be able to make a better Ontario.

Mr Cordiano: My colleague made some previous remarks with respect to efficiency and effectiveness of government spending. Obviously I would agree with him that efficiency and effectiveness are probably the most important priorities when we are considering government expenditures, but, my God, we have not seen efficiency and effectiveness in the last little while in this province and certainly we can say that right across the country.

At the national level we have not seen the efficiency, the effectiveness and most of all we have not seen productivity gains. Productivity gains should be the priority of this government's spending. The government cannot accomplish that without directing the kind of spending that it brought about in this budget to increases in the industrial sector and we are not going to see that with the kind of spending it is bringing about. We are not going to see jobs created, because there is no innovation in the kind of spending it has brought about. There is no meaningful innovation in the areas we are talking about for job creation on a daily basis, on which we have criticized this government. There is nothing there. It is just, "Hand out the money, write the cheques, here's a handout," instead of a paycheck.

Obviously that is not going to work. That has not worked over the years and we have come to the point in modern civilization, in modern economies, where productivity gains directly equate with a high standard of living. We see this around the world. The members opposite have not got the message yet. The message is quite clear. If the government does not bring about productivity gains, if it does not spend that money effectively retraining our workers and making the most highly skilled workers in the world—quite frankly, we are not too far from that, but the government has not done anything along those lines—I see the Treasurer coming in—that is the one quarrel I have with his spending.

Mr Hayes: I really did not plan on getting into the discussion this evening, but I think I would really be remiss if I did not clear up a few comments from the member for Etobicoke West. He made comments about the standing committee on government agencies and on appointments and it is quite interesting how that member and some of his colleagues sat in there and went through the process and it was fine and dandy as long as we were appointing members from his party. We had one of the members come in for review and I thought it was really a disgrace how that member for Etobicoke West sat and put his back to the person we were interviewing and read a magazine. I have never seen anything so rude in all my life.

The members from that party over there complain about not having enough members on the committee and yet they only show up when they feel like it. There are several times in that committee when we sat in there without a member from his party even being there. The process is a lot better than it was before, because the two previous parties—

Mr Stockwell: The guy right in front of you is reading a magazine. Look who is calling the kettle black. Get a grip and sit down, you jerk.

The Acting Speaker: Order, please. The honourable member will have his chance to rebut. Order, please.

Mr Bisson: On a point of order, Mr Speaker: I would just like to point out to the House some of the language that was utilized by the member for Etobicoke West across the floor here.

The Acting Speaker: I did not hear any offensive language. I am sorry, it is not a point of order.

Mr Bisson: I would put forward, Mr Speaker, that you review Hansard.

The Acting Speaker: Thank you.

Mr Hayes: The member can call me a jerk all he wants. If that is what I get called for speaking the truth, he can go ahead and do it. I wanted to wrap up very quickly here. That process we have now of appointing people is public, everybody sees it, and it is unlike before when maybe the Premier used to appoint people in the previous governments and the members from their own caucus did not even know about it.

Mr Ruprecht: I think the member for Etobicoke West should probably explain to the House a bit more what he meant when he said that the business community is not happy with the Treasurer, with the government, and probably with the new establishment of the Treasury Board. I wish he would expand on that.

I will throw out a serious challenge today to the Treasurer, who I have always thought was highly reasonable, and I know that he will take that point of view into account. The promise has been made, very directly, not only to the business community but almost to everybody, that this government and this Treasurer would consult. We hear, though, from group after group, from community after community, that consultation has not proceeded. In fact, we have heard that some groups or communities cannot even get to talk to some of the ministers. The Treasurer is probably a bit more open than some of his other colleagues, but nevertheless the challenge has to be that if you want to come up with an adequate policy, you have to consult and listen to the community and not engage in a policy that makes you frozen into inaction in terms of the communities that are engaged in wealth creation for this province.

The Acting Speaker: We have had our maximum participation in questions and comments. The honourable member for Etobicoke West for two minutes to rebut.

Mr Stockwell: I will deal first with the comments about implementing the tax policies and promises that this government made in the Agenda for People. Let's just examine some of the promises this government made. I happen to have a copy of the Agenda for People. It has been scratched out and said "Agenda for Power," then it was scratched out and said "Agenda for Landfill."

Minimum corporate tax: I did not see a thing about that. Funny, though, this government made that promise. Succession duties on estates of the rich and the super-rich: Gosh, I did not see that in the budget. It is kind of interesting. That is one for the government; two for me. Speculation tax: right up there on hit parade. This government was going to introduce a new speculation tax: 75% if you sold within three years, 50% in four years, 25%—you did not see that in the budget. "The New Democrats propose raising the provincial share of education costs to 60% over five years." This government did not do that either.

One small recommendation this government made in the Agenda for People it implemented, but the five or six

major promises it made it has not implemented, nor does it have any option to implement. So the suggestion that this government has implemented some of the tax requests it had in its Agenda for People is laughable. The member for Cochrane South should maybe pick this up in the near future and read it, because he has obviously forgotten what he wrote.

As far as the member for Essex-Kent suggesting that during a committee meeting I was reading a magazine with my back apparently to the deputant, I apologize for having my back turned, but with all due respect, I was probably reading about the accolades that were poured on the Treasurer during his recent budget announcement. I am not sure what it could possibly have been, but I am certain it was a worthy document. With all due respect, if the member had just looked down one aisle while I was speaking and others in this House were speaking, one of his very own members was reading a magazine the entire time. People in glass houses should not throw stones.

1630

Mr Sola: I just want to take a few minutes to put down a few of my ideas. The Treasurer has always been noted as a person of good humour and as a likeable guy, and I think this bill is just an indication that he wanted to have some fun with this House, because all he is doing is playing a game of ping-pong with a change of name. It used to be Treasury Board, it became Management Board, now it is going back to Treasury Board. When we take a look at the explanations for every change of name, it was always for the same reasons, efficiency in government and to allocate resources more effectively.

If the remarks of the current Management Board Chairman were accurate about how well that department functioned during the recent allocations of the moneys for the budget, there would not have been any need for a change in name. I am just wondering, there must have been something that was untoward in her Management Board decision-making process and that is why the Treasurer has to change it.

I would like to just pose a few questions. First of all, did the Chairman of Management Board complain of overwork or of too much responsibility? Why else would the Treasurer change the name and take the responsibility away from her?

Second, did the Treasurer lose a tug of war with the Chairman of Management Board? Because it seems to me that, in the allocations in the last budget and in the negotiations with government employees, the Chairman of Management Board won out in favour of the employees. Certainly a 6% or 5.8% increase in this time of recession is a little bit extravagant, I think we would all agree.

Third, will the Treasurer disband Management Board now that he has got Treasury Board? Otherwise what is the use of having a Management Board that will be performing exactly the same functions as a new Treasury Board? If not, the Chairman of Management Board will simply be getting her old job back, that being the job she had before she was elected when she was the chief negotiator for OPSEU, because if she is not responsible for the financial

allocation of moneys, she is simply there as an advocate for OPSEU. Since nobody else has a place on Treasury Board as an advocate, I do not think OPSEU should have.

I think Bill 82 is nothing more than a lot of rhetoric to allow the Treasurer to staff the board with people who are more in tune with his dogmatic approach to the monetary woes of this province. He probably had a little bit too much flak from the present setup at Management Board and figured he needed a few more yes people in his board, and therefore along comes Bill 82, away goes Management Board, in comes Treasury Board.

The only thing is, I hope that with the change of name there will be a change in attitude and a change in budget so that the projected \$35 billion over the next four years will be substantially less because, although politically it is favourable to us and the people on this side of the House, it would be a disaster for the province, for the people in this province. We hope he gets his act straightened out, turn the economy around and get things going.

Hon Mr Laughren: I do appreciate the contribution made by all members. They may find this hard to believe, but I enjoyed the debate.

I think members should understand that we are serious about attempting to get a handle on the control of expenditures in government. We know we cannot continue to have expenditures increasing at the rate they did this year. We are very much aware of that. We are very much aware that our very credibility depends on it, and second, that the province cannot afford those kinds of expenditure increases in the next few years.

I think most members were fair in the sense that they understand that we do need to get control of the expenditures. There is some scepticism, I think partly because of the 13% increase this year, that we are serious about it, but I can tell them that we all have more to do with our time than set up another board or commission on which we have to sit just for window dressing purposes. That is not the case at all.

The present Chairman of Management Board explained it very well when she responded to the member for St Catharines. She indicated there were pieces missing in the old system and that we really do want to get a handle not just on the multi-year planning but also on expenditure management, looking at entire programs. We are very serious about that.

I agree with what the member for St Catharines said when he said that a lot of our expenditures in the next few years will be driven by courts and tribunals, rulings that are made to which we must adhere. We must obey them. That is a concern to governments at all levels, I suspect. So I do not dismiss his concern there at all. I found his comments helpful and positive.

I have difficulty responding to the comments of the member for Etobicoke West because they were, quite frankly, phoney. They were laced with half-truths, if not untruths. He obviously does not know who is going to be on Treasury Board. That has not been announced, so how could he know that there is no one on Treasury Board with any business experience? As a matter of fact I, who will chair the Treasury Board, have had six years of business

experience in the retail sector. I have a business diploma from Ryerson, on top of other things, and I have my business experience at which I worked very hard.

Mr Bradley: Selling encyclopaedias.

Hon Mr Laughren: No, it was in the retail sector.

For the member for Etobicoke West to stand in his place and pretend, state publicly, that nobody on the Treasury Board will have any business experience is at best a half-truth. It is not even that. I do not want to get into name-calling or I will be down to his level at which he called one of our members a jerk. I guess the loud and empty voice bespeaks the vacant mind, as Shakespeare once said. I am paraphrasing a bit, but I can tell him it simply is not helpful to the debate when he engages in that kind of name-calling and half-truth. It does not make this place function any better and it certainly does not help us as we try to put in place a Treasury Board that we are very serious about helping us control our expenditures in the next few years.

It is simply not true that we went on a spending spree this year. We inherited a huge deficit with built-in costs this year, driven by the recession and, quite frankly, driven as well by the restrictions on transfer payments by the federal government which affected health care, social assistance and post-secondary education.

I have not heard the members of the Conservative caucus telling me that we should be spending less on education. I have not heard them tell me we should be spending less on social assistance, which is a statutory requirement. As a matter of fact, I will be very specific. I have not heard the Conservatives tell us anyplace where we should spend less money. They just say, "Cut, cut, cut." I am being a little bit unfair, I am not talking slowly enough and I am getting ahead of myself. I will slow down a bit, because they have told me they thought we should freeze the civil service or at least reduce the increase to 2%. That is what they told us. They said: "That's what you should do. You should freeze the civil service."

1640

When I looked at the numbers in the civil service in this province, if we were to go even beyond what the Conservatives wanted us to do—they want us to limit it to 2%, I believe—we could have taken it to zero increase, frozen it and, for the direct employees of the government, that would have saved us \$250 million out of our \$9.7-billion deficit. That is exactly what it would have saved us. The Conservatives pretend that by doing that, certainly picking on people who are not responsible for the recession and saying, "We're going to make you the target, we're going to make you the scapegoat"—I am sorry, that is not the way we function on this side any more.

I was also concerned about the member for Etobicoke West talking about the Fair Tax Commission. He said, "You promised all these tax changes and then, in the budget, you don't bring in the tax changes." That is what he said. Later on he said, "You're not consulting." When we established the Fair Tax Commission, we drew from all over Ontario. It is a very representative tax commission, and the business community does not disagree with that

assessment of the tax commission. It is a very fair commission.

At the same time, when we announced that we were sending these tax measures to the Fair Tax Commission so it could consult widely in the province, we asked them to fast-track two issues for this fall. One was the speculation tax on land and the other was the minimum corporate tax. You cannot have it both ways. The member for Etobicoke West should not be able to talk out of both sides of his mouth and say, "You're not consulting," and when we say, "We are consulting," beat us up because we are consulting. That is hardly intelligent debate in this place. There is nothing token about that kind of consultation. I see the member for Etobicoke West has come back in the place. It is simply not true. We have worked very hard at consulting with the business community.

As well, when I appeared before the standing committee this morning, I do not recall saying that I said the business community liked our budget. That is not what I said. That is what the member for Etobicoke West is pretending that I said. I wish he would be honest when he is trying to tell people here what I said in the standing committee.

All I am pleading for is some honesty in this place when we are quoting other members. That is all I am asking. The member is entitled to beat me up, ideologically of course, and to be as critical as he is capable of being about me and the budget and the government. I recognize that, I accept that, I have been here a couple of years, but all I am saying is he should get his facts straight when he does so. That is not what he is doing.

This afternoon, as a part of ministerial statements, I announced the fact that we wanted to establish a worker ownership plan in this province and that we were not introducing the legislation now. We were going to have a consultation paper and a draft piece of legislation which would be sent out across the province this summer. We will consult widely with working people and with the business community. That is what I call meaningful consultation, not after the fact, before the fact. So I think that the members opposite should at least be fair.

The member for Etobicoke West is holding up An Agenda for People, which is a document of which I am very proud. There is nothing in the Agenda for People I would want to walk away from. I think it is a wonderful document. What I have said over and over and over again is that the Conservatives in this province—

Mr Stockwell: Read this; no substance, pal.

Hon Mr Laughren: I wish the member for Etobicoke West would listen just for one minute. What the member for Etobicoke West is telling us one day is that we are spending too much money and there is too big a deficit. The next day he is up on his feet challenging us to implement the Agenda for People. My friend should make up his mind. What does he want?

I want to wrap up before I get provocative in my remarks and provoke the member for Etobicoke West into some name-calling again.

I do wish to thank the honourable members. We are very serious about establishing a Treasury Board, which

will help us to contain the expenditures in the province in the next few years. We regard that as a very important function and we will be taking it very seriously. I look forward over the next while to hearing some positive suggestions from the other side, and I mean this seriously, not in a partisan kind of way. I look forward to hearing from members opposite suggestions on how we can do a better job on expenditure management. I am not asking them to take responsibility for the expenditure controls we put in place. That is our responsibility. We will take the political heat for them. At the same time, we will appreciate any suggestions they have to help us do a better job.

Motion agreed to.

La motion est adoptée.

Bill ordered for third reading.

Le projet de loi devra passer à l'étape de troisième lecture.

Hon Miss Martel: There was a discussion earlier among the House leaders to do both Bills 108 and 110 together, so I would ask for the unanimous consent of the House to proceed in this manner at this time.

Agreed to.

SUBSTITUTE DECISIONS ACT, 1991

LOI DE 1991 SUR LA PRISE DE DÉCISIONS AU NOM D'AUTRUI

Mr Hampton moved second reading of Bill 108, An Act to provide for the making of Decisions on behalf of Adults concerning the Management of their Property and concerning their Personal Care.

M. Hampton propose la deuxième lecture du projet de loi 108, Loi prévoyant la prise de décisions au nom d'adultes en ce qui concerne la gestion de leurs biens et le soin de leur personne.

CONSENT AND CAPACITY STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS EN CE QUI CONCERNE LE CONSENTEMENT ET LA CAPACITÉ

Mr Hampton moved second reading of Bill 110, An Act to amend certain Statutes of Ontario consequent upon the enactment of the Consent to Treatment Act, 1991 and the Substitute Decisions Act, 1991.

M. Hampton propose la deuxième lecture du projet de loi 110, Loi modifiant certaines lois de l'Ontario par suite de l'adoption de la Loi de 1991 sur le consentement au traitement et de la Loi de 1991 sur la prise de décisions au nom d'autrui.

Hon Mr Hampton: I am pleased that all members of the Legislature have recognized the public importance of the principles embodied in Bills 108 and 110, before us for second reading. The Substitute Decisions Act and the Consent and Capacity Statute Law Amendment Act are two very important bills for all people in Ontario who are or have felt vulnerable in the past. The two bills, together with Bill 74, the Advocacy Act, and the Consent to Treatment Act, link the themes of liberty, empowerment, self-determination and the right to make choices through

comprehensive legislative reform. If they receive second reading, I understand that they will be considered together, with Bill 74, by the standing committee on administration of justice.

Bill 108, the Substitute Decisions Act, is based on some important principles. One of these is the principle of self-determination that provides all adults the freedom to choose how to live. As members know, Bill 108 increases our self-determination by providing for powers of attorney for personal care. Under the bill, each adult can choose a substitute decision-maker to make decisions in the event that an adult becomes incapable, in accordance with his or her instruction and wishes. The bill recognizes the need for a number of safeguards, however, against abuse.

1650

Another fundamental principle of the bill is embodied in section 7 of the Canadian Charter of Rights and Freedoms as the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice. The guardianship provisions of the bill and the establishment of the public guardian and trustee will advance those rights. It will help us to avoid and stop the financial exploitation and the neglect and abuse of people who are incapable of choosing to get themselves out of these situations.

Together with Bill 109, the Consent to Treatment Act, which provides for substitute decision-making for short-term health-related needs, we have, I believe, a complete package to meet the needs of people for principal substitute decisions.

I believe the members of this House agree that substitute decisions are a last resort. People must, if possible, make their own decisions. There must be support for people who can, with assistance, make their own decisions. There must be advocacy to empower people to have their wishes heard. In proceeding with legislation of this kind, it is vital that we base our decisions on the fundamental principles of our law.

Although both of the bills before the House today are the product of extensive consultation that spans three administrations, I recognize that some of the issues involved are quite difficult. Therefore, I look forward to continuing the dialogue at the committee stage.

At this point, I would like also to thank the member for Carleton once again for his contribution in focusing public attention on these issues. He has also been gracious in deferring the public debate of Bills 7 and 8. In doing so, I believe he has clearly exemplified the proper spirit for consideration of these bills.

I am aware that there may be many members of the Legislature who have comments to make on these bills. I am aware that when they go out to committee there will probably be many interest groups who will want to make comments. So I will defer at this time.

Mr Cordiano: I am happy to respond to the Attorney General's Bills 108 and 110 on second reading. I look forward to the debate that will follow, along with debate on the Advocacy Act and the Consent to Treatment Act,

which together address the rights of vulnerable adults and mentally incapable individuals in our society.

These pieces of legislation all together derive from a variety of reports commissioned by previous governments, as was pointed out by the Attorney General, in the three previous administrations. The Advisory Committee on Substitute Decision Making for Mentally Incapable Persons, which was called the Fram report after that, was commissioned by the Attorney General back in November 1985. As a result of that, however, there remained certain aspects of the legislation that I believe deserve quite a bit more attention.

Substitute decisions legislation was served to provide coherence to law in this area, allowing mentally incapable individuals to preplan for future incapacity, as well as providing for both temporary and partial guardianships where the capacity is not permanently lost. There are some concerns I have which I would like to take the time to address this afternoon.

First, as I pointed out in the debate on the Advocacy Act, there is the bureaucratic and formalistic approach that is being taken here, which de-emphasizes the role of the family. This, as members may remember from our previous debate on Bill 74, was a major concern for us in the Advocacy Act.

Second, as stated in the Fram report, as guardianship removes the fundamental right to self-determination, it should not be ordered easily. This is a recommendation I believe cannot be taken lightly. Guardianship removes the fundamental right to self-determination, and therefore every measure must be taken to ensure that guardianship is not overutilized.

Third, it is unfortunate, once again as I pointed out earlier, that the Advocacy Act could not be debated along with the bills we are discussing today, because there are gaps in the bills, which I think come together.

I will break this down into a variety of areas I want to address in my discussion here: the role of the family, as I pointed out in the Advocacy Act; protecting the right to self-determination; standard of proof; and the role of advocates in Bill 108.

At first glance, Bill 108 ensures access to a substitute decision-maker for those who have no family or friends to turn to and creates a public safety net through the newly formed public guardian and trustee. The public guardian and trustee, it is argued, has the role of guardianship of last resort. However, they are also given the power to investigate the conduct of private guardians. In fact, rather than being the guardian of last resort, the appointment of the public guardian and trustee is often the first stage taken in the proceeding under this bill. The public guardian and trustee is even empowered to apply for temporary emergency guardianship or emergency assessments when justified, and notice may be dispensed in urgent cases.

Although these powers are limited to cases of demonstrated need, family and friends are not similarly empowered, and therefore it makes the role of the family, as I say, de-emphasized and weaker. We can justify this approach by saying we would protect mentally disadvantaged persons against abuse and mental or physical deterioration,

particularly when it is assumed we are dealing with an urgent case. However, it is inconsistent with the stated policy position of the government.

This concern is consistent, however, with the concern I raised with respect to the Advocacy Act, wherein the rights of families seem compromised in favour of the rights of the guardian or advocates. It would seem that in both instances, the supportive role played by families and friends is not recognized and could undermine the integrity of families and others, as it fails to create adequate safeguards against unwarranted interference by advocates. That is of fundamental importance.

I think respecting this legislation I would like to talk about protecting the right to self-determination, because I think it is also a fundamental tenet of what we are undertaking here with respect to Bill 108. Bill 108 redefines mental incapacity for both the management of property and for personal care. Section 6 reads as follows:

"A person is incapable of managing property if the person is not able to understand information that is relevant to making a decision in the management of his or her property, or is not able to appreciate the reasonably foreseeable consequences of a decision or lack of decision."

Section 46, which deals with incapacity in the area of personal care, defines an incapable person as one who is unable to understand information relevant to a decision concerning health care, nutrition, shelter, clothing, hygiene or safety or not able to appreciate the reasonably foreseeable consequences of a decision or lack thereof.

The Fram report in this instance stated that a person who can make a decision with assistance should not have his rights of self-determination removed. Guardianship should be used only when all other possible avenues have been exhausted, and that is of crucial importance with respect to Bill 108.

Province-wide standards, I believe, will need to be established as to who exactly will be able to perform assessments on individuals, complete with stringent guidelines and criteria declaring someone incapable.

1700

How will certain issues be considered, such as those who, for example, may be considered mentally incapable in some aspects, but have strong family support to assist them? Need they be labelled mentally incapable? Big question. There is the situation where the person can make the decision with assistance. How much assistance is too much?

Issues and questions such as these will necessitate the determination of standards across the province. I think this is of the utmost importance in this legislation, the right of self-determination. Furthermore, the formalistic and bureaucratic approach of Bill 108 emphasizes the judicial process and could lead to overutilization of guardianship orders that will now be easier to obtain under this bill.

This brings me to my next point: standard of proof. There is no mention of the standard of proof in Bill 108, although the compendium states that the standard of proof is the ordinary civil standard that is on balance of probabilities.

It is a rather curious omission, given that the importance attached to this in the Fram report was of a high

regard. "The standard of proof determines the degree of probability that must be established by an advocate to evidence the party having the burden of proof to succeed in proving his or her case."

The Fram report recommended changing the standard of proof in different situations. For example, the committee report points out that, "Before appointing a guardian of property or of the person, the court must be without reasonable doubt that the person is mentally incapable of managing his or her property or personal care."

Again, I repeat, there has to be evidence that is "without reasonable doubt" that the person, the individual, cannot look after his own property, managing his own property and his own personal care.

To restore an individual's right to manage his or her own property, the Fram committee recommended that the person is more likely than not capable of management, the standard of proof being the balance of probabilities. To best protect this fundamental right of self-determination, it would seem that the standard of proof used to establish capacity of personal care should be lower than the one required to prove incapacity. In short, while it may be necessary to provide a substitute decision-maker for a person who is incapable of managing his or her own property, it should not be easy to do so.

The standard of proof used in this legislation should be contained in the legislation at the very least. There is nothing in the proposed legislation which explicitly states that the burden of proof is on the person alleging the incapacity.

I am turning my attention to the role of advocates in Bill 108. As I mentioned during the debate following Bill 74, it is indeed very unfortunate that these three pieces of legislation were not dealt with together. I keep saying that because it keeps coming to my mind that it was of the utmost importance to do so. However, here we are and we are dealing with Bills 108 and 110 together, at least.

When you read Bills 74, 108 and 109, it becomes clear that advocates have the most crucial role to play in these pieces of legislation. Under Bills 108 and 109, the advocates will be fulfilling the right of advocacy function, explaining the person's legal rights and options in the circumstances in which they find themselves. Bill 74, which establishes the Advocacy Commission and the role of advocates, specifically neglects to set up a rights advocacy program. I mentioned this in our debate earlier and I believe it is something that needs to be addressed.

As it stands, I believe the rights advocacy function is left to regulation. I appreciate that the bills will be going to committee, but I think the rights advocacy function is of crucial importance in protecting the fundamental rights of self-determination. For a person who is allegedly incapable, the visit of the rights advocate will provide him or her with unbiased information that could prove to eliminate the need for guardianship, and therefore very crucial.

Bill 74 deals with the advocate's role as it pertains to vulnerable persons, not mentally incapable persons. For this reason, I believe it is perhaps even more important that the rights of advocacy function be explained more fully and set out in Bill 74 in explicit fashion.

Finally, I think there is the concern that rights advocates in particular should be specially trained, as they could be the last opportunity an allegedly mentally incapable person has to retain self-determination, and that person will be found to be able to manage his own property or personal care. I mentioned this in our previous debate on Bill 74, but that is very important. If the training of rights advocates is to be left in the regulations, as was pointed out, then I think it follows that the inclusion and recognition of the critical role played by rights advocates in substitute decision-making should be found within the Advocacy Act. Their role, I believe, is far too important to be left out and I think that should be looked at in committee, and we will be following up on that in committee.

Let me turn my attention briefly to Bill 110 before I conclude. I would like to make a few comments regarding this piece of legislation, the Consent and Capacity Statute Law Amendment Act, which sets out the consequential amendments necessitated by the enactment of the Substitute Decisions Act. This act, Bill 110, amends 23 acts in this province and repeals the Mental Incompetency Act in its entirety.

This further demonstrates the concomitant nature of Bills 74, 108, 109 and 110 and, as I pointed out earlier, the need for these bills to be dealt with in unison because there might be omissions and contradictions that are difficult to foresee in dealing with these bills separately. I do not recall if it has been agreed that these bills will be looked at as an entirety, as one package. I hope that does happen.

I would like to conclude my remarks by emphasizing that the bills we are dealing with today are very timely. The years of study and consultation that took place by previous administrations were essential in leading to this point, bringing about legislation and bringing the bills forward today. I think the entire package introduces many positive changes in the empowerment of vulnerable persons and the manner in which their property is to be managed and in the personal care decisions of a fundamental nature that will be made on behalf of mentally incapable persons. I hope we have further opportunity to debate these bills in committee. Obviously, we will some time in the near future.

Given that these pieces of legislation are interwoven, as I have pointed out many times, I think it would serve us well if these pieces of legislation were dealt with together in committee. I think as well that to remove the Advocacy Act from the debate surrounding the other three and to look at it independently is quite difficult.

I think as well that future debate on the issue of substitute decision-making and guardianship, as with advocacy and the protection of the fundamental right of self-determination, should remain the uppermost thing in our minds. We clearly believe that while guardianship is essential, it should not be used unless we have exhausted all other measures, because as I said earlier, it is fundamental for a person to have the right of self-determination.

We should not be quick to judge a person incompetent or incapable of making his or her own decisions until we have exhausted all other avenues. I believe that is something that needs further work in committee. The regulations are to

address that, but I am quite concerned that there is a great deal of vagueness in these pieces of legislation. That vagueness must be looked at with a view to overcoming the inequities and the omissions that have been made in these pieces of legislation.

I would like to say once again that the legislation is timely and I look forward to looking at those regulations as they are brought in. Hopefully, we will have a chance to look at those in committee in the not too distant future, and not look at those regulations some time a year later or six months later. I believe the regulations are of crucial importance with respect to these bills, with respect to the omissions and vagueness I pointed out time and again.

1710

Mr Sterling: I did not rise to compliment the member for Lawrence on his speech, but I do want to say that I thought it was well put forward in terms of touching a lot of the bases in Bill 108 and Bill 110. I believe, from his speech, that he has a good concept of what is being attempted here.

Bills 74, 108, 109 and 110 are intertwined to some degree, but they embody different principles, and therefore in debating these I thought it was perhaps inappropriate that Bill 109 be included with Bill 108 and Bill 110, and therefore requested that the Attorney General put forward Bill 108 and Bill 110, because I think there are some significant differences in dealing with the two pieces of legislation.

I think, first of all, the whole concept of bringing together the principles within one act—the common law, the former statute law, dealing with business matters of incompetent people—is probably a noteworthy achievement on the part of not only this government but the previous government in terms of the amount of work that goes into a piece of legislation like this. Because of that, I hope that the interest in this legislation by the people who are involved will be significant, and the people who are involved in this legislation include primarily health providers and also the legal community.

One of the concerns of course is that the whole concept of legislation as contained in Bill 108 and Bill 109 is the basic premise upon which it is based, and the basic premise is that the person who is no longer able to speak for himself or herself is to be protected.

Unfortunately, that throws upon the system or the people who try to craft this legislation the assumption that things have gone wrong in the past. I think it should be stated at the outset that there is no overwhelming evidence that there has been a significant problem in this province with the treatment of people who have been found incompetent, either by the legal profession, by families or by health care providers. I think it should be noted that I do not believe the present government should be blamed in any way, or any kind of an onus should be on it, to defend itself in bringing forward this legislation, because I believe it is brought forward in good faith to try to seek a proper balance between the rights of the incompetent and the ability of health care providers to take care of people who find themselves in problems, and the ability of the families and the legal profession to take care of the business matters of

incompetent people in an honest and forthright manner, with the best intent of finding the wishes of the person who is incompetent and translating them into actions that are taken on their part, both in their personal care and in their business matters.

One of the problems I have found with both pieces of legislation, Bills 108 and 109, is that they seem to have gone too far in terms of trying to protect the incompetent patient or the incompetent person to such a degree as perhaps to make the legislation a nightmare to implement. During the time we hear particularly from health care providers, who are going to have to call the shot in the final analysis on whether treatment should be given or whether a transaction being taken on behalf of an incompetent person should or should not be done, and I am talking about the legal profession, perhaps. As we go through this process I hope we will say there is a balance to be struck here. We want to protect the incompetent person, but we also have to realize that our hospitals have to continue to run in a reasonably efficient manner so we can take care of the people in our hospitals.

I have a concern about the complex nature of some of these bills in terms of what they try to do—the appeal mechanisms, the insertion of advocates in a number of instances where I feel it is perhaps not necessary and the frequency of the insertion of advocates, particularly in Bill 109, which I will talk about at a later date or perhaps later this afternoon if we get to it. But I want to deal particularly with Bill 108, which I do not have as much concern about as Bill 109. As members may know, Bill 108 has instituted or brought into effect a durable power of attorney that I have very much been an advocate of for a long time. This was contained in a private member's bill that I put forward to this Legislature and which received second reading, Bill 7.

Bills 7 and 8 are before the standing committee on administration of justice as well. Bill 8 embodies the living will. Quite frankly, when I drafted Bill 7 it was devoid of a lot of structure necessary to make it a meaningful piece of legislation. I welcome very much Bill 108 as a replacement for Bill 7 and find it much more complete. In fact, it is much the superior piece of legislation.

However, I say to the Attorney General that when talking about durable powers of attorney for personal care, I am concerned that perhaps he has gone too far in terms of some particular aspects of that procedure. My drive behind Bill 7 and Bill 8 was to have as many people in Ontario as possible draw a durable power of attorney to retain their autonomy past the time they are able to take care of themselves. They would pass on the right to another individual to say, "Norm Sterling, when he is no longer capable of taking care of himself"—I would pass along to another individual the right to make decisions as to my treatment. Unfortunately, under this bill there are many requirements in order to make the durable power of attorney a good power of attorney that will be followed by a health care provider who is faced with the decision of taking care of me.

1720

The unnecessary step included in the Attorney General's legislation that I have heard some concern about

relates to section 49 of Bill 108, the validation of the power of attorney. Under our present laws, if you make a power of attorney or a durable power of attorney, which is dealing with business assets, in other words, if you want to give to someone you trust the right to make decisions on whether to sell your property and sign a deed after you become incompetent, then you sign a power of attorney. The very fact that you have signed can be used by that person to sign that deed. The proof of whether it is valid or invalid falls upon the people who receive it. Under this bill there is a validation requirement. The attorney, the person who is entrusted with making the decisions, must apply to the public guardian, a trustee or a court in order to have the power of attorney validated.

My concern is that by requiring that kind of step or that kind of process we will not encourage people to use this type of instrument to make their wishes known as to how they might want someone to take care of them after they become incompetent, but that it will discourage people to use a durable power of attorney.

I have heard Mr Fram, the policy adviser on this legislation, say it is the intent of the government to encourage as many people in the province as possible to utilize this instrument. Now, the validation process brings a I number of questions to mind. For instance, if I want to make a power of attorney because I am going to have an operation and I need an emergency operation next week, how do I know whether I am going to have this validated by the public guardian or the public trustee by tomorrow when I have the operation? Or what happens if the operation is on the weekend if somebody has surgery after a car accident or after an emergency illness?

In my view the whole idea of validating the power of attorney is far too bureaucratic and I think unnecessary. As I said in my opening remarks, there is no overwhelming evidence that physicians, families and friends have acted in a negative way with regard to trying to follow the wishes of a person becoming incompetent, therefore the additional requirement of validating a power of attorney is unnecessary.

Perhaps an even more fearful thing about the validation process is the revocation of a power of attorney. In other words, if I have given to someone else the right to make the decisions about my personal care, before I become incompetent—some might argue that I have reached that stage already; I noticed the previous speaker chuckling—

Interjection.

Mr Sterling: "There is a consensus in the House, finally," the Minister of Housing has said.

But perhaps the greater concern is subsection 51(2), which is very small and which I draw to the Attorney General's attention. "A revocation shall be in writing and shall be executed in the same way as a power of attorney for personal care."

I would like the revocation process to be as simple and as direct as possible. If someone made a durable power of attorney 10 or 15 years ago and then in an emergency, in a short period of time, knows that he or she is facing a situation of becoming unconscious or approaching a period

of time when that is a very real likelihood, that person may want to do something very quickly in terms of appointing another person. I think section 49 and subsection 51(2) are deficient in allowing that process to take place.

Perhaps the Attorney General will consider a registration process that is voluntary, where registration would not be necessary in terms of validation of the power of attorney, and leave the decision of whether the power of attorney is valid up to the attending physician or health care provider involved and often the family. If, however, somebody wants to register a power of attorney, then so be it.

I am going to raise the same objection with Bill 109, but under Bill 8 I had put in a section that said the living will would not come into effect if the person who had signed the living will was pregnant at the time. The durable power of attorney does the same thing by giving to another person really very wide discretion in the treatment or withdrawal of treatment of a patient. Now there is some onus placed on the person who is receiving the power of attorney, the instructions to make decisions, and these decisions may include the withdrawal of medical services. Quite frankly, under Bill 109 there is a section that says the health care provider must follow the living will.

I envisage a situation that I hope would never occur, where a woman becoming unconscious in her fourth or fifth month of pregnancy had made a living will and the law says you must follow the living will. If that living will said the person wanted the withdrawal of medical treatment under certain circumstances, then the physician is obligated under that legislation to do so. Maybe a child could be saved if the woman were put on a life-sustaining apparatus until she were able to bear the child even though after that event she might never recover.

I therefore ask that the minister perhaps include such a clause in this legislation, and I will be asking the Health minister to make the same kind of inclusion in her legislation. I do not think that is going too far, and I think it will make clearer for the health care provider what he or she might have to do if faced with this situation.

As I mentioned in my opening remarks, the bill is fairly complicated. I look forward to the hearings we will have on it and hope that the Attorney General or his parliamentary assistant, whoever is charged with going through the hearings that no doubt will be involved in this bill, will listen to the people who come before that with two things in mind, one being to have an open mind as to which way the Attorney General should make his final decision on each and every section.

While this legislation was drafted with the greatest of intentions by a number of people who have been involved for a long period of time, the people who drew up this bill were not politicians. They were not people who represented people. Therefore, I do hope that on legislation like this, which is non-partisan—nobody has a political stake in what happens on one section or the other section—the Attorney General will be open in accepting amendments from members of the committee, and I do hope that when the votes come on the various sections, they will not be along party lines.

1730

Last, when these bills were put forward, they were put forward one day before the justice committee was considering my two private member's bills. I sent to each member of the Legislature a copy of my letter to the Chairman of the justice committee. There were 40 or 50 groups that had lined up to come before the justice committee, and these were groups that have great credibility: the Ontario Medical Association, the Ontario Hospital Association, the physicians, the nurses, many other health care providers, the Canadian Bar Association, many people who will be dealing with these and very many substantial groups.

I wrote to the Chairman and asked him to suspend the hearings on Bills 7 and 8 until these bills could get in front of the justice committee so that they could be considered together. I did that for two reasons. First, as I admitted in my letter, my bills were deficient in some ways. Bill 108 is superior in dealing with durable powers of attorney, and Bill 109 is superior in some ways in dealing with living wills. Therefore, I thought it was unnecessary and not fruitful that groups come and centre their debate on Bills 7 and 8. They should centre their debate on Bills 108 and 109.

I do hope that the Attorney General and the Minister of Health, when they are dealing with these two bills, will attempt to simplify them as best they can when we go through that process. They will look for ways and give up the idea that we can protect in every situation and in every way the rights of an incompetent person if it is going to mean that living wills will not be drawn, if it means that durable powers of attorney are not going to be drawn, if it means that our physicians and health care providers will not be able to interpret what we have said in law and implement it in our hospitals.

As was explained to me at a conference which I spoke to last Friday of health care providers and the legal profession, I do not want health care providers going around and acting as lawyers, trying to interpret what they should do next, and being more concerned about the legalistic aspects of this legislation than the care of their patients. The concern of the health care profession that I heard last Friday was that they were very much concerned that this was impractical in its implementation and that some doctors—not all the doctors but even if it is 10% of doctors—would act far too legalistically in their approach to these two pieces of legislation.

We will be supporting Bill 108 and Bill 110, which is the companion bill to this piece of legislation, on second reading. We do hope there will be an open mind, as I said, to amendment in the future. I was proud to be part of the lightning rod which brought some of this legislation perhaps higher on the public agenda than it might have been had I not brought Bills 7 and 8.

I do not take a great deal of credit in terms of these being fresh new ideas from the member for Carleton, because there are a lot of people who thought about them a lot in advance of me and there are lot of other people who put a lot more work into these than I did, but I do take some small piece of satisfaction being a private member in opposition and having some small impact on this issue.

Mrs Marland: I just want to take the opportunity to commend both the member for Carleton and the government in bringing forth these bills. The member for Carleton is being quite modest in saying that he does not take credit for them, but he did bring private member's bills to the floor of this House on these subjects. They are subjects that for a long time have been very difficult for everyone to discuss, I think particularly for politicians, because we make ourselves vulnerable when we deal with what can potentially be a controversial issue.

There are always those people who wonder, when we are dealing with something as sensitive as a living will, whether we are treading where angels fear to tread and in fact intervening in God's holy order for things, whether His plan is that we live our lives out in whatever condition that happens to be, and they start to exaggerate an argument against those kinds of issues. I think it takes special commitment and caring and interest on the part of the member for Carleton to have stuck by his guns and brought forward that subject in the form of a private bill, which is what he has done. It will result in a benefit to all the people of this province.

It is not that anyone is prejudging what our quality of life will be as we age and become frail for any number of reasons; it simply says that we will have some choices. We will help our families make some of those choices through the options that this kind of legislation will provide, and I congratulate again the member for Carleton.

Hon Mr Hampton: There were a number of comments raised by the opposition speakers and I want to respond to them as best I can. I do not pretend to give a full response but I do want to respond to some of their concerns. Just so we are clear, these bills will be going to the standing committee on administration of justice. I understand there was some confusion about that earlier, some concern. But they are going to the committee.

The member for Lawrence raised concerns that the role of the family is not fully recognized in the legislation. Personally I believe there is significant recognition for the family in the legislation. I also know, from the groups that had indicated they wanted to speak on the member for Carleton's private member's bills, that we will hear some representation on that before committee. There is certainly room to go over this once more.

The members opposite also raised the issue of the need for province-wide standards for assessment. This is a very important issue and assessment standards have to be developed and we will be looking at province-wide standards.

1740

There was also a question about the burden of proof. I think, fundamentally, what it comes down to is the legislation creates the presumption of capacity, and therefore anyone who wishes to overcome that presumption must obviously prove it. So I think that is essentially where the lies.

The member for Lawrence talked briefly about the issue of advocates. Although this is not directly under my purview, I can advise that rights advocates, in terms of the

legislative scheme and the interplay of this with the Advocacy Act, are to be available in all of the instances.

The member for Carleton raised the issue of validation of powers of attorney for personal care. I can say this first of all: Validation is not necessary where it is a short-term treatment decision. I think I get the gist of his concern there, since he has a great deal of experience, and he has thought about these matters more than I have. We are open to being convinced about a simpler and less, shall we say, bureaucratic scheme.

Finally, the member raised the issue of the power of attorney in pregnancy. I think I should say to him essentially this: Powers of attorney are about the wishes of the individual. I do not think that this will make powers of attorney inapplicable to women who are pregnant. Women who are pregnant have, through a power of attorney for personal care, the capacity to state their wishes, and I think that is where the issue ought properly to be left.

I look forward to consideration of these bills by the standing committee on administration of justice, because my sense is that we will receive a great deal of public input, and it will be public input that has taken these issues to heart for many years, and therefore the groups and organizations that appear before the committee will give us valuable advice. I suspect the advice will be along the lines that we have dealt with these bills here in this House; that is, it will be non-partisan in nature and fully given with the intent of improving the legislation that we have drafted.

I thank all the members for their input, and I thank again the member for Carleton for his hard work and also for his consideration in withdrawing his private member's bills.

The Acting Speaker (Mr Villeneuve): Mr Hampton has moved second reading of Bill 108.

Motion agreed to.

La motion est adoptée.

Bill ordered for the standing committee on administration of justice.

Le projet de loi est déféré au comité permanent de l'administration de la justice.

The Acting Speaker: Mr Hampton has moved second reading of Bill 110.

Motion agreed to.

La motion est adoptée.

Bill ordered for the standing committee on administration of justice.

Le projet de loi est déféré au comité permanent de l'administration de la justice.

CONSENT TO TREATMENT ACT, 1991 LOI DE 1991 SUR LE CONSENTEMENT AU TRAITEMENT

Ms Lankin moved second reading of Bill 109, An Act respecting Consent to Treatment.

M^{me} Lankin propose la deuxième lecture du projet de loi 109, Loi concernant le consentement au traitement.

Hon Ms Lankin: I am very pleased today to bring forward for second reading the Consent to Treatment Act.

As honourable members will recall and have heard, this is the third part in three pieces of legislation: There are also the Advocacy Act, which received second reading on 10 June, and the Substitute Decisions Act, which has just in this past few minutes received second reading.

The Consent to Treatment Act will protect health-care consumers and providers by clearly defining their rights and responsibilities regarding treatment decisions. I think it is important to recognize that, as the health care system continues to evolve, we are placing much more emphasis on the very important role to be played by consumers. Knowledgeable consumers can make wiser choices regarding not only treatment, but the preventive aspects of health care as well.

This is a shift that I think together we can welcome, particularly because we are all consumers of health care. When it comes to health, consumers definitely need, all of us need to be fully informed. We want to know what our options are. As the population ages, it becomes even more important to address some of these concerns around consent and advocacy and substitute decision-making.

We must be prepared to deal with needs and the expressed wishes of individuals. Where a patient is mentally incapable, the act provides for treatment decisions to be made by a substitute decision-maker, with a system of safeguards put in place.

Consent legislation affects everyone, including the health care provider. We see this legislation as enhancing the relationship between the patient and provider. It defines roles and clarifies responsibilities for decision-making.

As this act receives second reading and proceeds to committee for discussion, we must acknowledge the work of a fellow legislator, and this has been done in speaking to the previous bill. I want to also say that we appreciate the member for Carleton's efforts in bringing forward Bills 7 and 8, which deal with powers of attorney and living wills. We also commend his decision to postpone his bills until we have had the opportunity to progress farther with the government's package.

With the introduction of the Consent To Treatment Act, the Advocacy Act and the Substitute Decisions Act, much of the discussion has focused on living wills and powers of attorney. These are very important ways for a person to ensure that his or her wishes are carried out when he or she is mentally incapable of making decisions. Expressing wishes in advance is an important component of the Consent To Treatment Act, but this act also addresses many other issues.

This legislation provides consent-to-treatment rules for all Ontarians. They apply to all settings and all health-related services provided by health practitioners. The requirements of consent and the elements of consent are codified. Mental capacity and how it will be determined are clearly defined. The determination of capacity is related to the particular proposed treatment. This is important because the act is designed to take into account the fact that mental capacity may fluctuate. As well, the degree of mental capacity required is different from situation to situation.

If a person suffers from a continuing mental incapacity to make decisions on medical treatment, the Substitute Decisions Act, which just received second reading, will apply. When a health practitioner finds a patient is incapable of making a particular treatment decision, an advocate meets with the person to explain the effect of the findings as well as the person's rights. The Consent and Capacity Review Board is established under the act. Anyone wanting to challenge a finding of mental incapacity may apply to the board for a review.

The act gives a list of people who may be entitled to act on behalf of an incapable person. It also provides a set of rules for determining who is so entitled. When no family member is available and no attorney for personal care has been appointed, the act ensures that someone will act on behalf of a person in need of substitute decision-making. In this situation, the public guardian and trustee will be the substitute decision-maker.

Under the act, a health practitioner may provide emergency treatment without consent if a mentally incapable person is otherwise likely to suffer serious bodily harm. However, if a health practitioner is aware that the person would not want treatment, he or she is not permitted to administer it. Health practitioners who act in accordance with this legislation will have immunity from civil liability.

The Consent To Treatment Act will enhance the rights of people to make informed choices when they are mentally capable of making those choices. It will also make certain that, where someone's wishes are known, those wishes will be respected by a substitute decision-maker if the person becomes mentally incapable.

During the development of this legislation we received input from many groups and individuals in response to consultation papers. The issues this legislation addresses are very important ones, and I look forward to the discussion of this bill in the House and to detailed study in committee. I welcome the input from all members and the input from all Ontarians as we fine-tune this legislation.

I am particularly pleased that the member for Carleton is a member of the committee which will be reviewing this, because the work and time that he has put into these issues over the years and his experience will bring to bear important information, important insight, as members of the public and professionals come before the committee to comment on this legislation.

The Consent to Treatment Act is necessary to improve the delivery of health care by clearly establishing the rights and responsibilities of the patient, the health care practitioner and the substitute decision-maker. Our ultimate goal is to provide the best possible set of circumstances to safeguard the rights of the individual in the health care system.

1750

Mr Phillips: I am pleased to participate in the debate and to say that we look forward to this bill going to the hearings for what I think will prove to be quite a lively debate. I do not think many of us would disagree with the principles behind the bill, but I think it is fair to say that the health professions that have looked at the bill have

some significant concerns about it that I hope will be resolved at committee.

The bill must not only provide effectively for consent by the person who is getting the care, but also must be practical in the sense that our health providers are able to work with it. I think we will find in the bill as it is currently constructed a risk that it will not work well in hospital settings, that it will not work well necessarily in some of our various health institutions and that we are going to have to listen carefully to those people who are involved in the implementation of it. There is a risk that it is perhaps overly bureaucratic, that there will be several circumstances where I think all of us would want the health care provider to be able to act and the health care provider may not be able to act, following this bill.

The problem we face now is that there was a broad consultation, but I think in the drafting of the language in the bill, we may not have had as much input by some of the health professions—the nursing profession and some of the other professions—that will be required to implement the bill. Certainly the consumer advocates have had a fair input into it, but not necessarily the health providers.

We will be supporting this at second reading, because we agree with the principle of the bill, but we want to signal to the minister that, based on our analysis of the bill and on our discussions with some of the health professionals, there are some significant flaws in the bill that will need to be worked through.

I am hopeful that we will be able to do that in committee, and therefore we are quite prepared to see it move on from here to the committee, with the understanding that I think the previous two bills received, that there will be a broad opportunity at committee to hear from some of the people who will be truly directly affected, an opportunity to improve the bill at that stage.

With that, I think I have indicated our areas of concern, and we look forward, as I say, to improving the bill at the committee stage.

Mr Sterling: As we are getting closer to 6 o'clock, I will try to be as brief as possible. I do want to say a few things about Bill 109, which embodies a number of concepts. As the minister says, it includes the concept of a living will, but also goes much wider and deals with many more things.

Every member of this Legislature should be aware that some time during his life he is going to run into Bill 109, because if he has a parent or a relative or a friend who is in a situation where he cannot speak for himself, Bill 109 will directly reflect upon what happens to the member and the person he is caring for. Bill 109 in a lot of ways is more important to the average Ontarian than Bill 108.

As I indicated in the previous debate on Bill 108, I had the privilege of speaking to health care providers and patient advocates and the legal profession on Friday and listened to much of the debate that went on during that afternoon. There is a very real difference in the view of those who are patient advocates and the medical profession. The medical profession, I think quite rightly, feels that it has dealt honourably and in the best interests of patients who have been unable to speak for themselves in

the past, with proper consultation in tune with the common law, to determine what should be done with a patient who cannot speak for himself or herself.

Therefore, there is this clash between those who would be advocates for patients and those who are actually administering the treatment. What is necessary is for us to come down in this Legislature with reasonable protection for those patients, but still allow our health care providers to act in a responsible manner, particularly in an emergency situation, where they have to make decisions quickly and they cannot be bothered with legal niceties when in fact the health of a particular patient is at risk. Remember that this bill does not only deal with terminally ill patients; it also deals with patients who are incapable but have a very rosy outlook for the future, and therefore this bill comes into effect in those instances.

I think all members of the Legislature should look closely at section 10 of this bill because section 10, in my view, embodies some of the problems with the bill. The use of advocates is far too extensive in Bill 109, and I will look for methods of limiting the scope of the use of advocates as we go through the clause-by-clause reading of this bill.

Can you imagine, for instance, under section 10 the situation where you are with your family members and your physician and you all agree that a certain treatment should be undertaken or should not be undertaken and your parent does not understand what the doctor is saying. Quite frankly, the parent does not understand what you are saying to her or him.

Under this bill the doctor is required, first of all, to try to explain it to your parent, which is understandable, but then the doctor is required to give your mother or your father notice in writing. If your mother or father cannot understand what you are saying to them, there is not very much hope that they are going to understand what you are going to give to them in writing.

Then, even though you and your physician and all the family members agree on what should be done, an advocate has to be called in and, in my view, could confuse your mother or father as to what is going on, perhaps frighten your mother or father if in fact that advocate does not really understand the family situation, or perhaps you get a bad advocate coming in, a person who does not really understand what is involved. In my view, we should try to limit the use of advocates as much as possible.

I have to tell the minister also that I am concerned with the expense that is going to be incurred in utilizing advocates across this province. We are talking about a significant expenditure, somewhere between \$20 million and \$30 million, which is not peanuts. That is the figure that was thrown around at this conference on Friday and if that is not the accurate figure, then it should be done.

I think we should strive, when we go through this particular bill, to limit the role of the advocate as to where it should be necessary. If there are certain treatments which are standard or which can be given on a short-term basis, and an advocate can come in later and advise the patient at a later date as to what this treatment does in a more routine manner, then perhaps those kinds of treatments should be

outlined by regulation or whatever. In situations they describe, where a family physician and the family are all consulted, and we may be dealing only in those cases with a terminally ill patient, perhaps an advocate is not necessary.

1800

I have a great deal of concern that while I am sure 90% or maybe 99% of the advocates who are going to be hired under this particular legislation might have the right attitude when dealing with the patients and might have the best interests of the patient in mind, sometimes advocates—as I have from time to time got overzealous with the cause I am representing—may from time to time get overzealous with regard to what they are doing.

If you permit me to go on for a few moments, I can wrap up. One of the doctors speaking on Friday, when comparing the cost of providing advocates under this act, made a very valid comparison. In Canada, one out of 10 persons is touched by schizophrenia. In Canada, we spend a total of \$1.2 million in research on the disease of schizophrenia. When we are spending somewhere between \$20 million and \$30 million to hire advocates to intervene on behalf of patients, he asked whether we as government are putting our priorities in the right places. The Minister of Health would know more about health priorities in terms of what money should be spent where, but I also put that question to her.

I believe advocates are necessary to represent incompetent patients who do not have friends, family or any other protective mechanisms in our society. I believe this is a bona fide attempt by the government to put forward a method to deal with a very difficult problem which the last government wrestled with and which the government I was part of in the early 1980s tried to wrestle with.

Therefore I do not condemn Bill 109, and we will be supporting it because it is an honest attempt to address a problem. We will fight hard and long, however, in the standing committee on administration of justice to limit the role of the advocate, to cut the cost of providing these advocates so that the money can be used in other areas which I believe would be more fruitful for the overall health of the people of Ontario, and so that the role of the advocate will not be to intervene in unnecessary situations.

Last, I would like to pay special recognition, when dealing with Bill 109 and the living will, to Marilynne Seguin, who is really the driving force behind the movement Dying with Dignity, which now has over 5,000 members across Canada. Marilynne Seguin started with one or two people in her group and pushed the whole idea of having autonomy till the very last moment of our lives. She is getting very little compensation in terms of monetary value for whatever she is doing. She is a registered nurse. She has long believed in advance directives, and I know she has been very supportive of Bill 7 and Bill 8. She is very supportive of Bill 109 and she would like to work in a positive and constructive way, as I and my caucus would, to make Bill 109 a real attempt at meeting this very difficult problem we have, to take care of people who are not able to take care of themselves.

Mr Callahan: I have never asked for this before in the six years I have been here, but I would like to ask for unanimous consent to have twice the time. I have something I think would be very meaningful to the House and I ask that I be given that unanimous consent.

The Acting Speaker (Mr Villeneuve): Do we have unanimous consent for the member for Brampton South to have four minutes?

Agreed to.

Mr Callahan: I want to thank the House very much for this. The concern I have is in the legislation that previously passed. I had moved a motion in this House to amend the Mental Health Act by two very minor amendments and my purpose behind it was to simply get the matter to committee. Members will appreciate I did this in my own government to allow families whose children were schizophrenics to have an opportunity to appear before the committee and to tell the horrendous stories about what they go through and suffer as a result of the people they love not being able to get help.

During the accord, people had a very sincere desire to make certain, particularly David Reville, that people were not required to take treatments, such as shock treatments and so on, without their consent, and I applaud that. David had a very personal knowledge of that and obviously was very concerned about it. In the course of those hearings, we left schizophrenics right out in the cold. As I say, I brought this motion during the time I was in government simply to get it before a committee.

That is what this bill will do and I applaud that minister. These families will be able to come before members and tell us the horror stories, particularly when members recognize that the federal Criminal Code of Canada, which goes back to about the 1800s, in terms of insanity will not allow a lawyer to defend a person charged with, say, stealing a candy bar on the basis he was out of control when he was schizophrenic. If you do that and do not plead that person guilty, whether they had a defence or not, that person goes away at the pleasure of the Lieutenant Governor for a period far in excess of what he would get if he pleaded guilty to it, which would probably be a discharge or an absolute discharge. That is horrendous.

More important is the fact that these families, who have gone through living hell—I am sure that is not parliamentary—have never had a chance to speak to their elected representatives in terms of how we can deal with a bill that will allow those people to look after their loved ones.

I remember that in the House at one time we had people with schizophrenic children who would appreciate that. I have six or seven personal friends in my riding, which is unique, where I have either acted for them—in fact one of them was accused of producing a knife before former Premier Davis in his house, and came from a family that got me into politics, absolutely beautiful people. They lived through hell because they could not help their son who is now about 35 and wanders around this province as a derelict and so on. That has to stop.

I do not think the intention of the Parliament of the day was to stop this; it was to try to help it, but we did not do it, so I applaud the ability, and this is why I have withdrawn my bill. It received unanimous consent of the House and then the election took place and I had to bring it back in. I have not brought it back in because I think the bill now getting before the House—and I hope the members of whatever committee deals with this will clearly look at that issue and give these people an opportunity to have their say, because they have never had their say before to deal with people they love very much.

I told this to somebody from CFTO: “You guys don’t get excited unless the person jumps off the bridge or kills someone, his family or a police officer. You get excited then, but you don’t get excited when you see these people wandering along the streets begging for money, or whatever.” There is a real care and concern there. With all the admonitions about partisan politics I have made of this government, I believe this government and its philosophy is to help these people.

I plead with the minister that this bill should not go beyond that committee without a strong invitation to these families to come before it and tell the horror stories they have. The Canadian Friends of Schizophrenics has problems with this bill. I hope the committee listens very carefully so it does not get into a situation where these people are not getting the treatment they require. It is very necessary.

1810

Mr Mills: It’s time.

Mr Callahan: The member for Durham East is telling me it is time. He is right. It is time for me to stop talking. It is also time for these people to get justice.

Mrs Marland: As the spokesperson for people with disabilities for our party, I want to place on the record our appreciation of the intent of this legislation. We do, however, share some of the concerns that have been addressed by the member for Carleton.

There certainly are people in this province who are very vulnerable, frail and ill and in some cases elderly in combination with those conditions. As Father Sean O’Sullivan’s report identified, all of us have a major role and responsibility in doing whatever we can to protect them because of the vulnerability of those people.

This legislation is excellent in providing someone to advocate for them when that is needed, but I think we have to be very cautious we do not end up as a paid advocate on behalf of a government agency and intrude into an area that is a family responsibility, that where there are family and relatives who are still providing loving care and attention to the needs of those vulnerable people, we do not have yet a third party, because the medical profession is obviously also performing its role.

My only concern, finally, is that section 10 of Bill 109 talks about everybody except the family. I look forward to the amendments that will be forthcoming as a result of the public hearings in committee.

Hon Ms Lankin: I will not take long in my comments. I think we will have much time to discuss this as it goes through the committee stage. I appreciate the comments

made by those members who have participated in the debate here today.

I will say directly to the member for Brampton South that I appreciate the comments he made and the passion with which he made the case for how necessary it is for us to hear the stories of these families, the experiences they have had and to understand the concerns they have with this legislation and the way in which this will work for them as they, their children and those families access the health care system.

I am particularly concerned that as we go through the committee hearings, we have well-promoted consumer involvement. It is very important. We will hear from the health care professionals, and that is very important. We need to hear their concerns and talk through those concerns. We will hear in some cases from the advocates' groups. But there are, unrepresented and unorganized in some cases, health care consumers who are hard for us to reach. I ask the members of the committee to please think about that and to make an attempt to reach out to those people and invite them in. I will make sure I raise that issue with the Chair of the committee directly as well, because I think the points the member makes around that are entirely in keeping with my thinking in terms of the need for us to hear from those people directly.

The member for Scarborough-Agincourt raised the issue of the concerns that many of the health professionals have and that they have expressed, and I do not take away from those concerns or suggest that we should not listen to that. I do think that this is a complex piece of legislation, and needs to be, unfortunately, because of the subject matter we are dealing with, and that people will need to take some time to work through it, to ask questions and to have some of those questions answered. I hope with some of that exchange in fact some of the concerns will be alleviated.

Quite frankly, what we are doing is codifying the responsibility of health care professionals that already exists in common law. I think that is often overlooked. I think many patients do not know the responsibility the health care professional has to inform them entirely of all aspects of the treatment that is being suggested and inform them of all alternatives so that in fact they can make an informed decision, informed consent. In fact, that responsibility exists in common law and what we are doing is codifying it here in a way which helps to educate both the health care professional and the client, the consumer.

I also believe it is important that we recognize that health care professionals will be concerned and that we have built into the legislation a provision that if a health care professional is truly acting in accordance with the legislation, he will have immunity around those decisions. I think that is an area the professions do have concern about and we need to communicate that to them and try to raise their level of comfort with that.

I also just want to respond to one point the member made, that we all would know the situation where a health care provider would need to administer immediate care and would somehow be blocked from doing that by the provisions of this legislation. I address this too to the member for Carleton, who raised a similar concern in

some of his comments. This legislation is not a bar to health care providers providing that necessary treatment if we are in an emergency situation. I see the member for Carleton shaking his head. If there is concern about that provision, then we will talk about that and we will address that, because the intent is not to bar emergency treatment in those circumstances, so we must ensure that in fact the legislation is worded in a way that satisfactorily addresses that.

To carry on and address some of the other comments made by the member for Carleton, he talked about the clash between the providers and the advocates. I think it is important for us to step back and to understand the role of the advocate with respect to this legislation, the consent legislation, because he talked about a number of situations where he raised the role of the advocate. I think it is entirely right for us to review something which introduces a new layer of government interaction with the public in an area in which, he has pointed out rightly, there will be costs. I think it is important for us to look at that, to review it and to ensure that it is an appropriate utilization.

But I think we also need to look under the act and be comfortable with what the act actually provides.

The member talked about section 10. He talked about the family with the aging parent who is in a situation of being incapable of making a decision, and the health care provider, along with the family, who all know the history and know the situation, somehow being placed in the onerous situation of having an outsider come in and intrude into that decision-making process.

I would just point out that I think the member would probably agree that in most of these circumstances where we have an aging parent who is in that situation, we would be facing a situation of a chronic incapacity. At that point, the Substitute Decisions Act, which we have already passed through second reading, would be the piece of legislation that would govern and the substitute decision-maker would be identified already in that situation and it would likely be the spouse or the child. It would be the family member in most circumstances.

The advocate under this legislation would come into play where in fact, with respect to a treatment at a certain point in time, a health care provider makes a finding that this patient is incapable, does not have the capacity to make a decision with respect to that treatment being offered at that point in time. It is around that finding of incapacity and whether or not that finding should be upheld that an advocate would intervene to inform someone of his rights to seek a review of that finding—again, not an emergency situation, and not in a situation of chronic incapacity.

1820

The other thing I just want to pick up is that the member talks about the clash between the advocate, or the rights of patients, and the providers, who he quite rightly points out would feel that they have provided quality health care services, with conscience and with the best interests of the patient in mind, and would wonder at perhaps the suggestion they may feel is being made by this legislation, the requirement in this legislation.

One of the things that I think is very important, because it ties into the issues that have been of such concern to the member for Carleton, the issues he has done a tremendous job of raising and fighting for in this legislative arena, is the issue of understanding and respecting the express wishes or the advance directives of a patient in terms of what kind of health care treatment he wants to receive.

It is not just in a situation of terminal illness. It is not just in a situation of the living will, although that is very important and this legislation addresses that. There are many other kinds of health care treatments over which someone may want to express an advance directive, an express wish about how they want to be treated in a certain situation, about a certain kind of drug they may not wish to take or a myriad of examples we will try to bring forward during the committee stage so that members will see that. It is important that those express wishes can be known and that there is a directive that must be followed in a circumstance where the person cannot make his wishes known at the time of the treatment.

The other thing I would just say—and I will wrap this up; I had not intended to go on so long—is that I do not want people to lose sight of the fact that this legislation and the consent, this part of the three pieces of legislation, is not designed to deal solely with the situation where someone has been found not to have the capacity for decision-making with respect to the treatment being offered. In fact, we are talking about the legislative codified requirement in all situations of delivering health care treatment of what exists now in common law for the consent that is given to be informed consent and the responsibility of the health care profession to provide information about the alternatives with respect to the treatment being offered so that patients are in a situation where they can make truly informed consent about the kind of treatment they agree to.

I believe that is important, not just from a patients' rights point of view, but from a point of view of educating the health care consumer about our health care system and about the alternatives that are there, so that we have a healthier population that is more engaged with our health care professionals, our providers and with the whole of the delivery of the health care system. I believe that this legislation truly does contribute to that end.

I thank the members for their participation and look forward to the discussion of this piece of legislation in committee. I am sure, as I indicated before, we will hear from many people who will have many thoughtful items for the committee to consider. Again, I appreciate that the member for Carleton, as a member of that committee, will have much he can offer to the discussion and the deliberations of the committee.

Motion agreed to.

La motion est adoptée.

Bill ordered for the standing committee on administration of justice.

Le projet de loi est déféré au comité permanent de l'administration de la justice.

BUSINESS OF THE HOUSE

Hon Miss Martel: I would like to advise the House of the business for next week.

On Monday 24 June, we will be doing second and third readings of the following private bills: Pr31, Pr33, Pr34, Pr42, Pr50, Pr63, Pr65 and Pr75.

We will do third reading of the following bills: Bill 25, An Act to amend the Planning Act; Bill 30, An Act to amend the Education Act; Bill 36, An Act to amend certain Acts respecting Assessment; Bill 79, An Act to amend the Gasoline Tax Act; and Bill 82, An Act to establish the Treasury Board.

We will then begin second reading of Bill 121, An Act to revise the Law related to Residential Rent Regulation.

On Tuesday 24 June, we have a non-confidence motion in the name of the Progressive Conservatives.

On Wednesday 25 June, we will continue with second reading of Bill 121.

On Thursday, we have private members' public business standing in the name of Mr Callahan and Mrs Cunningham, and we will then move to a motion respecting the standing orders governing public appointments, a debate concerning the progress of the select committee on Ontario in Confederation and, finally, the motion for interim supply.

The House adjourned at 1825.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaître, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haack, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Jamison, Norman	Norfolk	NDP	Chair, standing committee on estimates
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Jordan, Leo	Lanark-Renfrew	PC	Parliamentary assistant to the Chair of the Management Board of Cabinet
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Filson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
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Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
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White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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Clerk: Harold Brown

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Parliamentary Precinct

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Co-Chair: Noel Duignan

Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland

Clerk: Smirle Forsyth

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First Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 24 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 24 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 24 June 1991

The House met at 1330.

Prayers.

MEMBERS' STATEMENTS

ELECTRICAL POWER PROJECT

Mr Ramsay: I rise today to make the members of the House aware of an ongoing hydraulic generating station project being built at the falls at the south end of big Chiblow Lake, just northwest of Blind River.

I received a copy of a letter sent to the Minister of the Environment on 27 May of this year from the Chiblow Lake Cottagers' Association. They have some very real concerns that this project will damage the naturally reproducing lake trout lakes Denman and Chiblow, as any interference with the water levels could devastate the spawning beds there. Chiblow Lake also has a vein of limestone running beneath it which acts as a buffer against acid rain. This is a very unique characteristic for a lake in northern Ontario.

As the letter from the cottagers' association points out to the minister, the Ministry of Natural Resources' Blind River district fisheries management plan clearly states that the "activities of hydro power production facilities can also result in fish habitat destruction or degradation." The association met with the member for Algoma on 17 May of this year and its members are anxiously awaiting some action to be taken by his office. Unfortunately, we do not have the luxury of time in this matter. As each day passes, we come closer and closer to potentially damaging these scarce natural lake trout habitats.

I ask the Minister of the Environment to cease government funding for this project until a full environmental assessment has been made.

WATER QUALITY

Mr Carr: For 10 years now, officials of the town of Oakville and the Ministry of the Environment have been concerned about possible chromium contamination of ground water in the vicinity of Pinegrove Road in Oakville. The Minister of the Environment was advised by councillor Ralph Robinson last October of the continuing delay in the resolution of this problem, and that it was time somebody accepted responsibility and had this problem resolved. Officials of her ministry advise that there is nothing that can be done to expedite this matter until legislative requirements are taken care of by the minister's office.

Our environment is all-important. It is paramount that this issue be resolved once and for all to the satisfaction of the people of Oakville South. It is the minister's job to meet with these people and initiate some action on this matter.

PLANT CLOSURE

Mr Ferguson: Last Thursday in my riding, Uniroyal Goodrich reconfirmed its earlier decision to close one of

its manufacturing facilities. On that day, the member for Mississauga North, in a question to the Treasurer, misled the workers of my community by stating that this government had failed the workers involved. In 1987—

Interjections.

The Speaker: Would the member withdraw that?

Mr Ferguson: Yes, I will. The member for Mississauga North was not factual in his statements concerning the workers of my community. In 1987 the company approached the Liberal government requesting assistance of some \$20 million to \$30 million, which was denied. According to the director of the domestic industry support branch of the Ministry of Industry, Trade and Technology, the Liberal government's response was to provide \$10 million, providing that the company undertook over \$100 million worth of investment. As a result, the company did not return to the table. If they had had \$100 million to invest, they would not have been approaching the government of the day.

This government has met with all parties. As I speak, negotiations are taking place between the company and the United Rubber Workers of America representatives in order to ensure that they come to an agreement that makes sense for the company and for the workers. When we are asked by the member for Mississauga North what this government is going to do for the workers of my riding, let me tell you, Mr Speaker, that we are going to be working overtime to clean up the mess they created on that side of the House. That is what we are going to be doing.

CORNWALL COLLEGIATE AND VOCATIONAL SCHOOL

Mr Cleary: It gives me great pleasure to rise today in the Legislature to note that Cornwall Collegiate and Vocational School, located in my riding, will be commemorating 185 years of public education this weekend. This school, founded in 1806 by Bishop John Strachan, was popularly noted as one of the best, if not the best, secondary schools in Canada during the first part of the century. Originally known as an academy and then as the Cornwall Grammar School, ever-increasing attendance made additions necessary and the name changed to the Cornwall Collegiate Institute in 1925.

In 1937, further expansions were made and it was finally noted as Cornwall Collegiate and Vocational School. To mark this occasion, a tremendous amount of organization and planning has gone into the CCVS reunion, which will start Friday 28 June and go right through to 30 June.

I encourage all CCVS graduates to join their former friends and colleagues in Cornwall for a warm weekend of rekindled and new friendships and memories alike.

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PATIENT TRANSFERS

Mr Jackson: Ontario patients, many of whom are senior citizens, regularly face long, frustrating waits for Ministry of

Health ambulance transfers. The time has come in this province to offer these patients a more humane and less expensive alternative to the existing non-emergency transfer system.

Earlier today I was pleased to sponsor an outdoor press conference to unveil a specifically equipped non-emergency transfer vehicle as a solution to the inefficiency of the current emergency transfer system in Ontario. In addition to being more convenient to patients being transferred, such vehicles will save the Ministry of Health about \$100 for each one-way transfer. This money could be redirected into other community health programs. For example, approximately 12,000 non-emergency transfers were made by ambulances in the Hamilton-Wentworth region last year. Under the new system this would represent a savings to OHIP of \$1.2 million.

The alternative system would also allow ambulances to improve their response times for life-or-death emergency calls.

I call on the provincial government to act now to adopt this alternative system. It would be following the lead of British Columbia, Alberta, New Brunswick and Prince Edward Island. This move will also enhance the development of a province-wide community-based health care system by establishing crucial transportation links between health care institutions and the patient's so-called hospital in the home.

Neither our health care system nor our geriatric patients should have to wait until a real emergency situation develops before this alternative system is implemented in Ontario.

OPERATING ENGINEERS

Mr Fletcher: I take this opportunity to note an important legislative milestone. This year marks the 100th anniversary of the regulation of operating engineers in Ontario.

Operating engineers, sometimes referred to as stationary engineers, are responsible for ensuring that boilers and other pressure equipment are operated safely. This type of equipment is found in apartment buildings, institutions such as hospitals, schools, recreation centres, power plants and most commercial and industrial sites, so it is important that the people who operate it are well qualified.

One hundred years ago, on 14 May 1891, the Act Respecting Stationary Engineers received royal assent. This act, requiring operating engineers to register with the government, was replaced in 1907 with the more comprehensive Operating Engineers Act, which is still administered by the pressure vessels safety branch of the Ministry of Consumer and Commercial Relations.

The Operating Engineers Act ensures that operating engineers are properly qualified for their duties and that plants containing pressurized equipment are adequately staffed by qualified operating engineers and operators. The regulation of operating engineers has contributed to a century of remarkable safety in and around operating plants, to the benefit of both workers and the general public in Ontario.

SERVICES EN FRANÇAIS

M. Grandmaître : Aujourd'hui, les Franco-Ontariens fêtent avec joie et enthousiasme non seulement leur langue, mais leur culture, leur patrimoine. Je suis très fier de dire, au nom de mes collègues francophones et anglophones du Parti libéral, que nous avons été le gouvernement qui a institué la Loi 8 en Ontario qui se valait l'épanouissement de la francophonie à travers la province.

Par contre, je dois dire que depuis les six ou les douze derniers mois, un certain recul est reconnu dans la communauté francophone de l'Ontario, qui s'inquiète de son avenir. Quant au Parti libéral, avec la Loi 8 nous leur avons tracé le chemin. Nous avons guidé ces gens pour qu'ils se fassent valoir en Ontario, qu'ils avaient leur place et qu'ils avaient des droits en Ontario.

Aujourd'hui, on rencontre des coordonnateurs, des coordonnatrices et des sous-ministres qui doutent de la Loi 8 de 1986, qui exige que chaque ministère offre des services qui garantissent la prestation de ces services en français. La francophonie en Ontario présentement n'est pas à son meilleur.

GOVERNMENT POLICY

Mr Arnott: Today I would like to review the serious concerns I have with respect to the NDP government's economic policies and the damage they are causing in my riding of Wellington.

During the past nine months virtually no new industry has come to Wellington county, due in part to a lack of business confidence. This government's one-sided preoccupation with socialist initiatives, the \$10-billion deficit, which heralds ever-higher taxes in years to come, Bill 70 and rumours of draconian amendments to the Employment Standards Act have all served to weaken job-creating business confidence in Wellington county.

As an example, W. C. Wood Co Ltd, a quality manufacturer of appliances employing 700 people in Guelph, announced recently that instead of expanding in my area as had been planned, substantial new plant and equipment investment would be going to Ohio. John Wood, the company's president, was quoted in the Financial Post recently, explaining: "We can't blame the NDP for all the ills in the province because they've only been here a few months. But we can certainly be critical of the direction they appear to be heading."

The town of Harriston and the municipal officials in Centre Wellington have approached me with ambitious plans for new industrial and economic development, but this government has announced no new strategy for attracting industry to our rural communities.

I hope the members opposite will spend the summer recess reviewing and reflecting on how their socialist rhetoric and policies have played a large part in reducing job opportunities in Wellington county and rural Ontario. Hopefully they will return in the fall with a better understanding of how a market economy works and a willingness to undertake a concerted effort to restore business confidence in Ontario and attract new industry to rural Ontario.

SAULT STE MARIE

Mr Martin: Today I would like to take this opportunity to thank the Premier and this government for their faith and investment in my constituency, the city of Sault Ste Marie.

We as a government have taken initiatives to help boost the economy in Sault Ste Marie, rejuvenating optimism among our people. With the much-appreciated assistance of this government, we are now working hard at recovery. Let me just list some of these significant government initiatives.

The Algoma Steel task force: This task force continues its commitment to the company, the workers and the community to help maintain one of northern Ontario's largest employers.

The anti-recession program: This program brought \$25 million to Sault Ste Marie. This investment will create jobs and stimulate the economy.

Three million dollars in retraining programs: With this money, courses will be offered at Sault College of Applied Arts and Technology to help with the re-education of a number of laid-off workers.

Five million dollars to the Algoma Central Railway so that it can continue to be of service, promoting tourism and providing employment.

Last and certainly not least, the Ministry of Municipal Affairs' latest initiative to look favourably at the community of Sault Ste Marie at a time when its major employer is unable to pay its taxes.

In sum, what we have realized is that Sault Ste Marie is a community worth fighting for. With the aid of the NDP government and my constituents, we will continue to make Sault Ste Marie one of the finer communities in this province.

VISITOR

The Speaker: Before continuing, I invite all members of the assembly to welcome to our midst today the former member for Scarborough Centre, William Davis, seated in the members' gallery east.

Hon Mr Pouliot: I would like to request unanimous consent to make a statement on this, Saint-Jean-Baptiste Day.

The Speaker: Do we have unanimous agreement?
Agreed to.

SAINT-JEAN-BAPTISTE DAY

LA FÊTE DE SAINT-JEAN-BAPTISTE

L'hon. M. Pouliot : Monsieur le Président, aujourd'hui, comme vous le savez sans doute, c'est un jour très important pour la communauté francophone en Ontario et aussi partout au Canada. C'est notre Saint-Jean-Baptiste.

Francophones number some 550,000 in Ontario and, as members are well aware, they have been here for over 350 years. The number keeps growing by virtue of a relatively new phenomenon where people from all over the world who express themselves in French add to the economic development and culture of Ontario.

1350

J'ai eu l'occasion en fin de semaine d'être à Ottawa, chez nous, parmi cette grande famille de Franco-Ontariens, d'observer un dynamisme peu commun. J'y ai aussi observé qu'on peut, collectivement, en dedans du contexte ontarien, dans notre province, regarder l'avenir avec confiance.

Depuis 350 ans, quand nous n'étions que quelques braves, quelques membres de cette francophonie qui allait aujourd'hui être représentée par plus de 550 000 personnes, j'y ai vu un dynamisme peu commun. J'y ai aperçu plus de 500 000 participants en une semaine. Prenez le spectacle qui était le clou des festivités et qui s'est déroulé mercredi dernier. Gilbert Bécault était la vedette de l'événement, et il y avait plus de 20 000 personnes. Les contributions au cours des ans, des décennies et même des siècles des Franco-Ontariens chez nous sont fort nombreuses. Elles se retrouvent dans la culture, dans l'économie de notre province.

I know that our party would wish to reiterate its commitment in recognizing on Saint-Jean-Baptiste Day the contributions—and there are many—Franco-Ontarians and their communities are making to Ontario.

M. Grandmaître : Je suis fier de voir le ministre délégué aux Affaires francophones s'adresser finalement aux Franco-Ontariens et aux Franco-Ontariennes.

La semaine dernière, la Semaine francophone en Ontario, du 16 au 23 juin, il n'y a eu aucune mention de la part du gouvernement, absolument rien. Alors, comme je l'ai mentionné tantôt, nous sommes très fiers d'être Franco-Ontariens et Franco-Ontariennes, et je crois que notre contribution à cette province va simplement s'améliorer et augmenter avec les années. Mais, par contre, pour garantir cette amélioration-là, je crois que le gouvernement doit être ferme, il doit diriger et il doit être reconnu comme l'outil qu'il était lorsque nous avons présenté la Loi 8.

Alors, je suis très fier de fêter notre contribution avec le ministre et tous nos compatriotes franco-ontariens et franco-ontariennes et tous les gens qui parlent français partout au Canada. Mais, par contre, je questionne le gouvernement de l'Ontario qui prend des petits pas en arrière, pas en avant. Depuis les six ou les douze derniers mois, nous avons perdu douze coordonnateurs et coordonnatrices. Nous avons été...

Hon Mr Wildman: You are so non-partisan.

Mr Grandmaître: It is not partisan. It is what you have not been doing. That is your problem.

Je crois que le gouvernement ne doit pas se présenter devant les Franco-Ontariens et les Franco-Ontariennes et dire de belles choses mais faire peu d'actions.

I think this government has a commitment, not only to this House but to Franco-Ontarians, that Bill 8 will stay in place, Bill 8 will be reaffirmed and that services will be improved, but we are losing francophones as civil servants every day. I think it is their responsibility. They had all the solutions back in 1986, 1987 and 1988. Where are those solutions today?

Bonne fête aux Franco-Ontariens et Franco-Ontariennes.

M. Villeneuve : Il me fait aussi grand plaisir de dire «Bonne fête» à tous nos francophones à travers le Canada,

aussi bien au Québec que partout ailleurs. Bon anniversaire à tous nos amis francophones.

C'est une fête qui est fêtée non seulement au Québec, mais à travers toutes nos provinces et toutes nos communautés qui ont de la francophonie, tout comme à Embrun, hier, où il y avait une grande célébration dans le comté de Russell, d'une grande participation francophone.

Aujourd'hui, de plus en plus d'études provinciales et canadiennes font face à l'avenir de la Confédération, une situation qui est inquiétante pour nous tous. Le rapport Silipo souligne que nous sommes un pays lié par des liens historiques, géographiques, linguistiques et commerciaux. Tous les Canadiens doivent dès aujourd'hui travailler pour un Canada uni et renouvelé.

Le Québec se prépare à un référendum lorsque le reste du Canada se prépare à essayer d'accepter le Québec tel qu'il est. Alors, il faut réellement faire face à une situation qui est très inquiétante. Les présents gouvernements fédéral et provinciaux doivent faire preuve de leadership et recommencer dès maintenant les négociations constitutionnelles visant le maintien du Canada comme nous l'avons connu.

We are all proud of our roots and where we come from. I live in an area where we have very proud people of Scottish origin, of Irish origin, of Dutch origin, and of course of French origin. First of all we must be, and remain, Canadian.

Bonne fête à tous nos Franco-Ontariens.

STATEMENTS BY THE MINISTRY

TAXATION

Hon Mr Laughren: I want to inform the Legislature today of a change regarding the tax on fuel-inefficient vehicles. Members will recall the budget proposal to double the existing tax rates, add two new tax ranges, and include sport utility vehicles in the tax base. Shortly after the budget I met with representatives of the auto industry and the Canadian Auto Workers to discuss the budget proposal. The representatives, while supporting environmental objectives, believed the budget proposal represented a potential threat to jobs and investment. They asked that I review an alternative proposal.

Since we came to office, this government has said consistently that partnerships and consultation are the keys to creating new and solid policy directions. This exercise demonstrates that government, labour, business and interest groups can work together successfully for the benefit of all.

To review the issues around the tax and to examine the industry option, a series of consultations was held with the auto manufacturers, both domestic and import, the CAW, auto dealers, environmental groups, including Friends of the Earth and Pollution Probe, and officials of several ministries. We sought an alternative option that could be agreed upon and that would still carry a strong environmental signal. Using energy wisely and maintaining environmental integrity are, as I said in the recent budget, essential to achieving sustainable prosperity. We have developed an option that I believe promotes these objectives.

The new initiative is more comprehensive than the budget proposal. In recognition of its changed nature, the tax has been renamed the "tax for fuel conservation." It will take effect on 1 August.

The new policy has several features. As announced in the budget, it retains the doubling of rates on cars with poor fuel economy ratings—those with ratings of 9.5 litres per 100 kilometres or worse. A new threshold will be added at the 9 litres per 100 kilometres level, with a tax rate of \$250. In addition, cars that have fuel economy ratings in the middle range, from 6 to 8.9, will be subject to a \$75 tax.

To complement this tax scheme, a rebate of \$100, credited at the time of purchase, will be provided to purchasers who buy cars that have superior fuel economy ratings. This rating is defined as using less than 6 litres of fuel per 100 kilometres. This rebate program is the first of its kind in North America.

Finally, while the tax is extended to sport utility vehicles, the new rates will range from \$75 to \$3,200. These rates have been lowered from the budget proposal in recognition of the impact the higher rates may have had on the industry and dealers in what has proven to be a very difficult economy for the auto industry. The Minister of Revenue will be introducing amending legislation shortly that contains these changes.

1400

This comprehensive tax rebate scheme will send a signal to vehicle purchasers and manufacturers of the importance of fuel efficiency and energy conservation. This new policy also demonstrates the government's openness to new ideas and its willingness to discuss and implement alternative policy options.

This government has said consistently that new partnerships and new working relationships among government, labour and business are not only possible but in fact essential if our province is to successfully meet the changing realities of our time.

It is important to note that as a result of this co-operative effort, the groups involved in developing the consensus policy consider this new initiative to be an improvement over the budget proposal.

I am happy to put forward this proposal that keeps the environmental message of energy efficiency and pollution pay front and centre. Moreover, it is consistent with our fiscal plan.

I want to thank those who took part in the consultation process for their commitment and resolve in developing what I believe is a strong and sensible environmental policy. This clearly shows that the partnership approach to policymaking can work and work very well.

CONSEIL SCOLAIRE DE LANGUE FRANÇAISE FRENCH-LANGUAGE SCHOOL BOARD

L'hon. M. Pouliot : Aujourd'hui, c'est le jour de la Saint-Jean-Baptiste, une journée très importante pour les francophones de l'Ontario et de tout le Canada.

Je profite de cette fête pour annoncer la création du nouveau Conseil de l'éducation franco-ontarienne. Ce conseil s'occupera essentiellement de l'éducation de langue

française en Ontario. Son mandat couvre l'éducation au niveau primaire, secondaire et postsecondaire et sa fonction consiste à conseiller la ministre de l'Éducation et le ministre des Collèges et Universités.

Le Conseil de l'éducation franco-ontarienne sera composé de représentants d'organismes de l'éducation de langue française et de membres du Comité consultatif des affaires francophones, du Conseil ontarien des affaires universitaires et du Conseil ontarien des affaires collégiales.

Le mandat du Conseil sera de trois ans. Le président du Conseil sera nommé par la ministre de l'Éducation en consultation avec le ministre des Collèges et Universités. J'aimerais donc remercier mes collègues la ministre de l'Éducation ainsi que le ministre des Collèges et Universités pour cette importante initiative.

Notre gouvernement s'est engagé envers les francophones et cette annonce vient confirmer notre volonté d'être à l'écoute de la communauté francophone. La Saint-Jean-Baptiste, c'est une occasion pour la francophonie de se fêter. D'ailleurs, une manifestation d'envergure a été organisée dans le cadre de cet événement. Je voudrais vous répéter ce que j'ai dit tout à l'heure, que ce festival franco-ontarien à Ottawa a attiré cette année plus d'un demi million de personnes.

This is a special occasion for francophones to celebrate their culture, and therefore I invite all Ontarians to celebrate with the francophone community. Please keep in mind that you do not have to be a francophone to share in our joie de vivre.

Donc, bonne Saint-Jean-Baptiste à tous.

OAK RIDGES MORaine

Hon Mr Wildman: I would like to inform the House that today I released the province's implementation guidelines for the Oak Ridges moraine within the greater Toronto area, or the GTA as it is commonly known.

The announcement was at the Lake St George Conservation Field Centre, operated by the Metropolitan Toronto and Region Conservation Authority. Lake St George is a kettle lake in the moraine and the headwaters of the east branch of the Humber River. I was joined by my colleague the member for Durham-York, who is also the parliamentary assistant to the minister responsible for the greater Toronto area.

The implementation guidelines I released are interim and will protect significant features of the moraine and control development while we develop a long-term strategy.

I also announced that a two-year planning study leading to the development of a long-term strategy for the Oak Ridges moraine within the GTA is now under way.

The province will create two committees to undertake this work. A technical working committee will guide the planning study and development of a long-term strategy. A citizens' advisory committee will assist in the development of the strategy and will consult with the public on the strategy before it is finalized.

The implementation guidelines concentrate on protecting significant features and controlling development in the GTA portion of the moraine because development pressures

are more severe there than in other portions of the moraine.

As part of that commitment to protect significant areas, I announced that the province is fully committed to the plans of the Metro Toronto and Region Conservation Authority to purchase the James Walker property. The Walker property is a valuable forested area on the south slope of the moraine and is part of the headwaters of Duffins Creek. We will assist the conservation authority in the purchase of this key property.

In areas of the moraine outside the GTA, municipalities will be strongly encouraged by the province to adopt and apply the principles of the implementation guidelines. The guidelines strengthen the commitment of the province made in July 1990 by the previous government with the announcement of the expression of provincial interest in the GTA portion of the moraine.

The guidelines set out eight key principles for determining if a proposed development may be allowed and clarify the province's role in land use planning there. These principles: (1) prohibit development in significant natural areas; (2) restrict scattered development; (3) encourage maintaining or enhancing ecological integrity; (4) encourage landform conservation; (5) encourage the protection and management of woodlands; (6) prohibit unacceptable development in and around watercourses and lakes; (7) restrict expansion of settlements on to highly permeable soils, and (8) prohibit development that has an unacceptable impact on ground water resources.

The moraine within the GTA contains the headwaters of 30 watercourses and major tributaries. Underground aquifers provide drinking water for 10 communities, including King City, Aurora and Stouffville. Abundant water resources alone in the moraine illustrate the importance of undertaking initiatives to protect the moraine.

The Ministry of Natural Resources will work in co-operation with the ministries of Municipal Affairs and Environment to ensure that any development allowed on the moraine is consistent with the implementation guidelines. The province will review development proposals and use its powers under the Planning Act to intervene where necessary.

The 13-member technical working committee will start immediately on the planning study that will lead to the development of a long-term strategy for the GTA portion of the moraine. The strategy will outline the natural systems and green corridors that will be protected, will identify levels of development acceptable for various parts of the moraine and areas where no development will be permitted.

The committee will be made up of representatives from the province, regional municipalities, local conservation authorities, interest and industry groups, and the citizens' committee we will create. It will complete the strategy within two years.

Public consultation will be one of the most important elements in ensuring that we develop a long-term strategy that works for everyone. That is why we are creating a citizens' advisory committee. It will help the technical committee develop the long-term strategy.

The citizens' committee will also conduct a process of public consultation on the long-term strategy before it is

finalized. In addition, the citizens' committee will seek public input and comments, through a questionnaire, on a future direction for the GTA portion of the moraine.

It will play an ongoing role in providing public information on various studies that will be undertaken, in gathering public information on natural features of the moraine and in investigating the feasibility of a community-based trail system for the area.

The Oak Ridges moraine is a key feature of the natural environment in the greater Toronto area. The initiatives we are undertaking will ensure that any development allowed on the moraine within the GTA will be compatible with long-term land use planning goals for the moraine.

The guidelines will make the municipal land use planning system more sensitive to environment concerns and will help ensure that significant features and functions of the moraine are protected for future generations. These initiatives will reinforce this government's commitment to a more ecosystem-based approach to land use planning.

1410

RESPONSES

TAXATION

Mr Bradley: I am very pleased to be able to respond to the tax on auto workers and the withdrawal of this tax, which I consider to be ill conceived and certainly not thought out very well by the Treasurer and all of those on the government side.

It gives me some faith in the role of the Legislative Assembly and particularly that of the opposition that my several questions and those of my colleagues, my leader and the critic for the Ministry of Industry, Trade and Technology, and the many speeches we have made on this side have obviously had an impact on the Treasurer, who has been forced to withdraw or at least recognize the lack of advisability of this particular tax. It does remain, however, a tax grab. If members look carefully at the details, he is still going to make money at the expense of auto workers in Ontario.

The Treasurer levied this tax in the midst of the deepest recession since the 1930s, when the automobile industry is facing unprecedented competition from the United States and other countries, and he did it disguising it as an environmental measure. Surely everyone in the House recognizes that if the Treasurer wanted to put forward a reasonable environmental measure, he would not have levied this additional tax and extended it to other vehicles. Instead he would withdraw this tax increase and replace it with incentives to people in our province to purchase new vehicles which have better pollution control equipment and much better fuel efficiency.

At the same time he would have had the effect of stimulating the economy in this province as it relates to the automotive industry. My neighbours on my street in St Catharines and the neighbours of many people across the province of Ontario would have benefited immensely by this in terms of their jobs and the spinoff effect on other parts of industry in the province. The environment would have benefited by better fuel efficiency and better pollution control equipment.

Lastly, it speaks rather badly about the consultation process of this government that instead of consulting appropriately ahead of time to determine the effect of such a tax, this government would simply bulldoze ahead and then have to withdraw it. I think this measure is tinkering. It is helpful to a little bit of an extent, but it is unsatisfactory for both the environment and the economy of the automotive industry in Ontario.

CONSEIL SCOLAIRE DE LANGUE FRANÇAISE

M. Grandmaître : En réponse à la déclaration faite par le ministre délégué aux Affaires francophones, je veux lui dire merci. Finalement, le gouvernement réagit à quelque chose qui était dû. Par contre, je me sens offensé lorsque j'entends le ministre mentionner le nouveau Conseil de l'éducation franco-ontarienne. Le CEFO existe depuis 1972 en Ontario. Par contre, depuis les douze derniers mois il n'a pas été tellement actif.

J'aurais préféré en ce jour de fête que le ministre des Collèges et Universités annonce le nouveau site de la Cité collégiale à Ottawa ou même un nouveau collège dans le Nord et dans le Sud. Ce seraient des annonces nouvelles ; ce n'est pas de la répétition. Aujourd'hui, nous avons entendu de la répétition. Par contre, maintenant il faut que je vois le mandat du nouveau conseil de l'éducation. Il faut améliorer et établir des normes beaucoup plus acceptables qu'auparavant.

OAK RIDGES MORaine

Mr Ramsay: We welcome the interim guidelines the Minister of Natural Resources has put into place. We certainly welcome them because they are based on the report Ron Kanter, the previous member for St Andrew-St Patrick, had proposed and John Sweeney, the former member and Minister of Municipal Affairs, had responded to in like kind.

I am a little concerned that it has taken nine months from this being all in place for this government to announce this protection. That is kind of sad for the people living within the Oak Ridges moraine. I would ask the minister what role the MNR is going to take, because we think from here the MNR should also be an advocate for protecting the Oak Ridges moraine.

Also I would just say to the minister, when he speaks of ensuring that endangered species, both plant and animal, are protected, it is very important that the endangered species list be updated. As he knows, it is woefully inadequate.

I think the best news of all to the people of Toronto, and especially to the municipality of Maple, is that obviously the Minister of the Environment would not now consider at all using her emergency powers to enlarge the Keele Valley dump, because looking east to west, the Keele Valley dump is smack in the middle of the Oak Ridges moraine. For that we would like to thank the Minister of Natural Resources for the guidelines and the advice to the Minister of the Environment for protecting that Keele Valley dump. I would like to ask the minister if maybe she would reconsider the Kirkland Lake proposal while she is doing that.

CONSEIL DE LANGUE FRANÇAISE

M. Villeneuve : Scolaire Seulement quelques mots en réponse au ministre des Affaires francophones : j'espère que ce n'est pas une création d'un nouveau conseil, pour réellement mettre les choses un peu de côté.

Nous avons déjà un Comité consultatif des affaires francophones, un Conseil ontarien des affaires universitaires et un Conseil des affaires collégiales. Maintenant, est-ce que c'est un regroupement de toutes ces différentes communautés pour essayer de faire de l'avant ?

J'espère que ce n'est pas une façon pour essayer de retarder ce qui s'impose dans nos milieux francophones. Nous savons que la Cité collégiale d'Ottawa opère très bien, même à surcapacité alors que dans le Nord nous avons besoin de certains éléments éducatifs en français ainsi que dans d'autres parties de la province. Espérons que le tout va être un acheminement à ce qui s'impose dans le moment.

OAK RIDGES MORaine

Mr McLean: I want to reply to the Minister of Natural Resources. First, I want to ask why the Minister of Natural Resources is making this announcement when the matter falls within the jurisdiction of the minister responsible for the GTA. We must all ask the Minister of Natural Resources if extensive consultation was carried out between the ministries and the Office for the Greater Toronto Area before this statement was even drafted.

We find it interesting that the Ministry of Natural Resources has formulated another municipal land-use planning system when the Ministry of Municipal Affairs has already implemented a commission to study land-use planning on a provincial scale. We have one going on with John Sewell as its head, with \$3 million of taxpayers' money being spent on a regional study. We hope the minister's citizen advisory committee takes into the account the interests of all concerned parties—citizens, industries and the local governments—while they are doing it.

In summary, we will follow this issue with great interest to ensure the Ministry of Natural Resources follows the principles for development set out in the announcement for the Oak Ridges moraine. I want to say how pleased I am to see the conservation authority taking up that property, with the help of the Ministry of Natural Resources, but I am sure the minister is tying the hands of developers on further development within that county.

TAXATION

Mr Stockwell: Before the Treasurer goes ahead breaking his arm patting himself on his back, he would not have had to resolve this problem if he had not created it in the first place. The fact is that what he has done here before the House today is cut the rate on mid-sized cars. He has cut the rate because Bob White attacked him. His auto worker friends were being bludgeoned by this ridiculous and silly tax, so the Treasurer broadened the base on mid-sized cars so he makes more cars applicable to his gas guzzler tax. He can change the words all he likes, but it is his gas guzzler tax.

By my calculations, cars that are getting nearly 40 miles to the gallon are gas guzzlers and the Treasurer is going to hammer them, and any car that gets potentially over 40 miles to the gallon gets a \$100 rebate. I am almost sure some motorcycles would not qualify for his rebate under the miles per gallon he has used.

It is tokenism on the rebate side. The Treasurer is still tax-grabbing the public. It is a bad budget. Clearly, if he would have given this a little more thought and would have consulted beforehand, would done some real consultation, he would never have had to backtrack like this. The environmental side is nothing more than a red herring. The Treasurer knows it is a tax grab. He knows he needs the revenue and he is sucking every dollar out of this economy that he can possible suck out of it. It is purely political. It does not go far enough. It is hammering more cars, hammering more taxpayers when they go in to buy their cars. It is unreasonable and typical of this government. It is unfair for the consumers.

OAK RIDGES MORaine

Mr Cousens: It surprises me that the Minister of Natural Resources makes the announcement about the Oak Ridges moraine, and not the Minister of the Environment, who is the minister responsible for the greater Toronto area. But I found out the answer in listening to the quips. Probably it was not picked up by Hansard and this is purely to help it. I overheard the Minister of the Environment say, "We tossed and I lost." The fact of the matter is that if this government is going to toss around this whole apparatus inconsistently, it is stupid in the extreme.

The Niagara Escarpment Commission falls under the Minister of the Environment. This is an environmental concern that people have. It falls into a host of areas that have to do with long-term planning for the area. They have come along and tossed and said, "Oak Ridges moraine will go to the Minister of Natural Resources." I think they are tossing up a lot of things just by rolling the dice and saying, "Hey, we're going to toss on this one or that one." This is far too important for the Minister of the Environment not to have a key role in it. It has been the environmental groups—

Hon Mr Wildman: She does.

Mr Cousens: Come on. This announcement should have been made by the Minister of the Environment, not by the Minister of Natural Resources. Everything is smattered around. It is no wonder people do not understand what is going on. I do not.

Interjections.

The Speaker: Order. The member for Markham will come to order. Now that we have captured everyone's attention, perhaps I can hear from the member for Ottawa West on a point of order.

1420

HOCKEY FRANCHISE

Mr Chiarelli: Mr Speaker, I am rising on what may be a point of personal privilege and ask you to investigate and determine same.

The matter relates to public statements made by John Kruger, chairman of the Ontario Municipal Board. Mr Kruger made statements to the Ottawa Citizen which were published by the Citizen last Saturday, 22 June. The statements implied that I was attempting to influence the outcome of the Ontario Municipal Board hearing on the Ottawa Senators' Kanata Palladium site.

The Ottawa Citizen article states in part, and I am quoting: "OMB Chairman John Kruger said Friday he would prefer that the MPPs don't make any statements in the Legislature about the hearing in Ottawa. He can't stop them, but he is keeping a close watch." The article also shows Mr Kruger strongly implies statements made by me in this House were intended to influence the OMB hearing itself.

As a lawyer and a member of the Law Society of Upper Canada, Mr Kruger, a senior public servant with deputy minister status, is impugning my status as a lawyer, and he is making veiled threats to an opposition member of the Legislature and is stating that I not comment on the political actions and decisions of this government.

At no time did I ever suggest what decision the OMB should reach. I did, however, comment on the political decisions of the government to reverse the previous government's decision to prosecute an objection with unprecedented vigour and financial resources and to refuse to negotiate compromises—all political actions of the government and proper subjects of debate in the House.

In conclusion, Mr Speaker, I believe the comments of Mr Kruger, chairman of the OMB, a quasi-judicial body, are a breach of my privileges as a member of this Legislature. I ask you to investigate this matter and take action in a way which maintains freedom of comment in this Legislature for opposition members.

The Speaker: The member may know that events which occur outside the assembly do not constitute a matter of privilege, in this particular instance for you as a member, but I appreciate your bringing it to my attention.

MINING INDUSTRY

Mr Miclash: Mr Speaker, I too have a point of personal privilege, and a very important one at that. I would ask the indulgence of the House for this.

You will remember that last Wednesday, 19 June, I asked a question of the Minister of Mines. I must point out that in my answer I really did not get a non-answer, but I did get a fantastic performance, what I would suggest would be an academy performance on behalf of this minister. As you will know, in the riding we often present certificates and I have never really had the opportunity to—

The Speaker: No. The member for Kenora will come to order, please.

ORAL QUESTIONS

TAXATION

Mr Nixon: I have a question to the Treasurer. I listened carefully to his announcement of the adjustment in the gas guzzler tax. He has renamed it, and I have not got that just on the tip of my tongue yet. In his statement he

indicated he had undertaken the sorts of communications and exchanges of views that led him to change his opinion.

I want to ask him about the possibility of the removal of, or at least a reduction in the 30.1% increase in the diesel fuel tax, which the honourable minister must realize is a very heavy additional burden on an industry that is already suffering. I understand the minister entered into consultation with people knowledgeable in this area just a day or two before the budget; after his reasonable reception, which we can all understand, they were very surprised indeed when he made this very large additional imposition of tax at a time when he must have been aware that the 200,000 people employed in this industry were already suffering from economic deprivation of a very serious nature in this recession.

Can the Treasurer indicate what sort of review he is undertaking of that particular matter, since it certainly involves many working people in this province, and the view was carefully expressed to him, which is factual and cannot be argued against?

Hon Mr Laughren: When I met with officials of the trucking industry prior to the budget, they did indeed express their concern about the state of the industry and the level of taxation, as I recall. Subsequent to that meeting, I had several discussions with the Minister of Transportation. As a matter of fact, the Minister of Transportation was prodding me for the meeting rather than the other way around, as I recall, and at that time—

An hon member: Did he mention the diesel tax?

Hon Mr Laughren: If the member will wait for the question to be answered, he will learn that answer.

Subsequent to that meeting, the Minister of Transportation did indeed respond to the concerns of the trucking industry by imposing a moratorium on the issuance of new licences. At the same time he launched a study into the entire cost structure of the trucking industry, and I believe that study is to be completed in the month of August.

I think, to be fair, the government did respond to some of the concerns of the trucking industry, although the member is quite right that we did not respond to its desire that there not be an increase in diesel tax, because we did impose that increase.

Mr Nixon: Representatives of the trucking industry have of course contacted us, as they have other political parties, and no doubt attempted to speak to the Treasurer again on this matter. They indicate they have had a chance to speak to some of his officials, which is not as satisfactory as it might be.

The Treasurer is also aware that the mayors of the border municipalities meeting with him and some of his colleagues put forward as their considered view that the difference in gasoline tax was one of the main reasons people were tempted to undertake cross-border shopping. Since this was the second clear indication to the Treasurer that the tax should not be increased, and as a matter of fact it might even have been considered to have been reduced somewhat, why would he fly in the face of that direct advice and lead the province into focusing on this cross-border

shopping difficulty, when he had within his executive grasp procedures for assisting in this matter?

Hon Mr Laughren: The leader of the official opposition should and probably does understand the problems concerning cross-border shopping and the problems within the trucking industry, since he has linked these two issues together between his first question and his supplementary question. He should understand very well that taxation is a component in both those issues, the problems in the trucking industry and the problems of cross-border shopping. But he should admit that long before the taxes were increased on gasoline—as a matter of fact, long before this government took office—there were problems in both areas. The problems in the trucking industry are primarily too many trucks and not enough business, and the problems of cross-border shopping were there and will be there regardless of the level of taxation on gasoline.

I have never said that the level of taxation in Ontario is not a component of the problem of cross-border shopping or, for that matter, I suppose, of the problem of the trucking industry, but I do not believe that in either case is the tax on gasoline the primary cause of the problem.

1430

Mr Nixon: I suppose there would be a difference of view on that, and we can argue it at some other occasion. It is generally considered by those people on the scene, both in the trucking industry and subjected to the pressures of cross-border shopping, that the gas tax was bad, admittedly, and that the Treasurer made it needlessly worse to the extent of a 30% increase.

This is the part that is difficult to understand. Without entering into a substantial debate on the matter, the honourable Treasurer knows it is the federal fuel tax that has escalated most rapidly, to the point where it is almost equivalent to the tax at the provincial level. Until the Treasurer adjusted the tax the federal tax was higher, and they built no roads at all.

Surely the advice that would come from the tax experts in the Treasury would not have recommended something of this nature, which would have such a negative effect on the economy, at least in the short term. The responsibility must lie with the Treasurer and his political advisers. In that regard, having made a virtue of consultation in his statement after a mistake is made, why can he not simply do the same thing: read the faxes that are coming into his office, listen to the calls that are coming into his switchboard and realize that making a virtue of the mess he has already made of the budget would involve removing at least a part of that tax?

Hon Mr Laughren: I am glad it is the Leader of the Opposition who asked that question because he knows better than anybody else the need to raise tax revenues in order to meet the ever-increasing demand for services across the province.

I assure the Leader of the Opposition I will look at those fax messages. I am not sure how long it takes to read the 160 fax messages I had received just before I came into the House this afternoon.

I think the Leader of the Opposition should make a distinction between the consultation that went on concerning the gas guzzler tax and what is being asked on the diesel tax or on the gasoline tax increase. In one case, people who are concerned about the level of tax, namely the gas guzzler tax, came in, sat down and made a proposal with the other stakeholders involved. We worked out a proposal and a new system of taxes that did not remove the revenues from the consolidated revenue fund. The Leader of the Opposition knows better than most how important those revenues are if we are going to deliver the services everybody in this province seems to want.

Mr Nixon: I guess what we need is a reincarnation of Jimmy Hoffa, but that may not happen.

ENVIRONMENTAL POLICY

Mr Nixon: I have a question for the Minister of the Environment. Those of us in this House, such as myself, who are and have been totally committed to legislation on the environment are deeply disappointed in the level of inaction exhibited by the minister over the last nine months. On the formation of the government, I would say we had the highest hopes that this minister would follow in the traditions established by the Liberal government and move forward to correct problems.

In this connection, I want to ask the minister what she has done for these nine months, which the honourable minister would know is long enough to accomplish many great things. Under these circumstances, her announcements have not led to any kind of introduction of legislation nor regulation having to do with a comprehensive plan to achieve the 50% reduction by the year 2000 enunciated by her predecessor. We want to know in this House whether she is going to allow this to drift over into the next year or whether she is going to gather up her courage and introduce the sort of legislation that will lead to the sort of debate that many people had hoped would be a part of this particular session.

Hon Mrs Grier: It is hard to know where to begin. I regret that the Leader of the Opposition has been seeking legislation. I thought it would have been obvious to someone with as much experience as the Leader of the Opposition has had in this place that legislation to protect the environment has been in this province for quite some time. What there has not been is any commitment to live up to that legislation, to enforce it and to make sure the environment is protected.

With respect to waste reduction, which appears to be the focus of the leader's question, it is not legislation that is required. It is regulations, the will to do it and the commitment to show leadership and persuade the people of this province that, instead of finding holes in the ground in northern Ontario for their waste, they should get serious about reducing, reusing and recycling. It is also having a Treasurer who is prepared to provide in his budgets for the funding to do just that, and that is what this government has.

Mr Nixon: I admire the honourable lady as she emotes for the benefit of her followers, but she did promise an environmental assessment bill and all sorts of regulations

that would implement the goals, estimable though they are, that still really have not elicited anything significant from her.

For example, I well recall her saying, as an effective opposition critic, that our municipal-industrial strategy for abatement program was inadequate. Since she took office, the first thing she said was that she would review it. Evidently she is still reviewing it nine months later because absolutely nothing has gone on to move towards the elimination of toxic discharges into the waterways.

Her predecessor, with all sorts of debate and concerns expressed by environmentalists and others, had moved forward quite dramatically in this regard and we were very surprised indeed that this minister has done nothing about it. What can she say about that particular program as regards achieving its worthy goals?

Hon Mrs Grier: The leader says my predecessor had moved forward very dramatically on MISA. If that is the case, I regret to inform the leader that I have not yet been briefed on what those dramatic changes were. I have inherited a program that monitors what is happening. That monitoring has been completed. But the MISA program, as envisaged by the previous government, was to put controls on the ends of the pipes. The review I have asked my ministry to undertake is to try to find out what is going into the pipes and make sure we prevent that contamination, not merely control it as it emerges from the industries in this province.

Mr Nixon: The honourable minister must be aware that the whole MISA program was developed by her predecessor and supported not only by the Liberal government but by most of the members of the House at that time. We wonder why the minister has abandoned a program that is so worth while that it will work only if the minister uses her authority and the goodwill she had when she came into office to promote it.

I simply ask her what she has done on updating regulation 308 under the Environmental Protection Act, which deals with air pollution. Certainly it is out of date. We were moving dramatically to improve it, and as a matter of fact there was a six-month consultation under way when the honourable minister took office. That was completed in February and we have heard nothing from her. It seems she has lost her will to act. What has happened to those regulations? Why is she not acting to move forward with cleaning up the air?

Hon Mrs Grier: Before I address the final question, let me first revisit the MISA issue. I think the Leader of the Opposition has missed the point that the MISA program, as supported by many of us and introduced by his colleague, was very much an end-of-the-pipe control mechanism. It did nothing to prevent those contaminants from getting into the environment. It was merely trying to control what was being discharged. It was not going back, as other jurisdictions and Europe are doing and as the federal government is even talking about doing, saying, "How do we prevent that pollution in the first place?" That is what our program is going to do and what I am doing.

With respect to regulation 308, the dramatic changes he said were coming related to a program which, during the consultation we undertook, nobody thought was a very good program. The environmentalists did not think it went far enough, and the industry feels it is far too complicated and not going to achieve the objectives. We have made major changes in the way the people of this province begin to look at waste in all its facets. I can assure the Leader of the Opposition that even if his party does not recognize that, the people of this province do.

1440

TAXATION

Mr Stockwell: My question is to the Treasurer. My opinion is that he has cleaned up a very small part—not even cleaned it up—of a very big mess he made with his budget. However, auto workers and auto makers are not the only groups that have been hurt by his budget, as hundreds of calls and faxes to his office this morning from the Ontario truckers remind him and as the deteriorating conditions of Ontario tourism industry will attest to. In Buffalo the chamber of commerce reports that larger Canadian companies are now moving to that region. Does the Treasurer think tinkering with one small, ill-considered tax is going to make a dent in that problem? Which of the other taxes is he prepared to reconsider in order to make Ontario's business community more competitive?

Hon Mr Laughren: I certainly do not think changing the gas guzzler tax to a pure conservation tax will resolve all of the problems that are caused by a very serious, made-in-Canada recession. I do not pretend that. This change was designed after consultation with the auto industry, with the workers involved and with the dealers showed that this would make an improvement on the tax. I think we did the responsible thing. I hear representatives from the business community saying from time to time that we are not consulting. When we do consult, members on the other side do not seem to think it is a good idea. I wish they would get their story straight for once.

Mr Stockwell: If he wanted to consult, why did he not consult before the budget? Why did he not do the consultation before he announced the budget? He is trying to take credit for correcting a mistake he made that is embarrassing. If he never made the mistake, he would not have been trying to pat himself on the back correcting it. He has partially corrected this \$45-million error in what is generally recognized as a \$52-billion blunder that has done nothing to solve the problems of migration from Ontario. In western Canada his government has been described as the most spectacular western development program ever launched. They think he is tremendous in western Canada.

Now that he has recognized his error with the gas guzzler tax, can he tell the truckers and the tourism operators why they should continue to pay for his mistakes? It was his mistake he is correcting today. When can they expect some relief from Floyd's follies? Or does one phone call from Bob White count for more with this government than the hundreds of calls and faxes he gets from tourism operators and truckers? Is Bob White more important than thousands of people in this province?

Hon Mr Laughren: I must say the member for Etobicoke West puzzles me from time to time. I think he is happy that we consulted with the industry, the workers and their representatives, the auto dealers and the environmentalists, but on the other hand I do not think he is happy that we made a change. Maybe he is all in favour of token consultation. We are not. We are in favour of meaningful consultation, and that is why we sat down with all the major players. I think the member for Etobicoke West should get his story straight. Does he want us to meet with people and consult in a meaningful way or does he want us just to proceed in a high-handed way, the way his federal counterparts have been doing?

Mr Stockwell: He consulted before the government with union heads, and that is it. He did not consult with business. The story is very strange. The people from Ford did not hear from the Treasurer, the people from General Motors did not hear from him. The only reason he changed this is that Bob White flip-flopped. That is why the Treasurer changed this gas guzzler tax. Get my story straight? Why does the Treasurer not try getting his government's story straight?

The Treasurer keeps telling us the business community has confidence in Ontario, that he does not think it is fair to say it does not have confidence in this government. If he thinks they have confidence, then why are 3,000 people protesting on the front lawn of the Legislature? Why are 1,000 more expected this Thursday, protesting his budget? If having the province's credit rating downgraded by every major agency in North America, if having a plan to double the province's debt in four years, if comments in the press from Ontario business people saying they are not planning to invest in this province—if the Treasurer thinks this is a vote of confidence by the business community, can he give me an example of any business leader, any business group or any business person who thinks he and his government are doing a good job?

Hon Mr Laughren: I assume the member is seeking a name other than that of Conrad Black, and I will try to think of one in a moment. I should straighten out the member's strange perspective. He should know that prior to the budget we consulted very widely, including with the business community and the automobile industry, so I do not know where in the world the member for Etobicoke West is getting his facts. I have no idea. I will stack up the credibility of this government with the credibility of his party's federal government any day of the week.

LONG-TERM CARE

Mr Jackson: My question is for the Minister of Community and Social Services. She made an announcement on 11 June on long-term care, which was a disappointment to individuals and to groups that have waited since last September to find out what the government's new direction was, and she must appreciate how shocked these people and these groups were to learn that she made the announcement, yet she had not released publicly, nor was it ready, her long-term paper.

Thousands of seniors, persons with disabilities, people who work as health care professionals and their families

feel let down by a government and a minister who yet again apparently has not done her homework. It is my understanding that Peter Clutterbuck was hired to draft the government's long-term care strategy and that it was completed last April. If that is true, will the minister please advise the House why she has not made that document public and will she undertake to release that document to the members of the press gallery, the members of this House and the people of the province who are interested in long-term care reform?

Hon Ms Akande: This will be a brief answer: The consultation paper was not completed by April, as the member has suggested, not to our satisfaction and in the way that it will be submitted when it goes out for consultation, and therefore it has not been put out for consultation.

Mr Jackson: That information raises serious credibility questions about the minister's timing of the announcement and just exactly how meaningful the consultation process will be if the government is to meet honest-to-goodness time lines. They do not have the document for public consumption.

It is clear, therefore, that the minister has no immediate plans to match the financial support requirements and actual care requirements of residents in homes for the aged and nursing homes with their actual needs. This is why I am particularly distressed to learn that a week ago in Ottawa, J. Kaufman, until recently the assistant deputy minister, institutional health, announced that the government intends to phase out chronic care hospitals. Will the minister please advise this House if that statement has any truth or basis in fact, as the assistant deputy minister of Health would have been in a position to make that statement. Would she please confirm if there is any truth to that, and what is the exact status of the chronic care role study which the government has been talking about for the last nine months?

1450

Hon Ms Akande: Once again the member has a few errors in his statement which he makes as a premise to his remarks, and they are not correct.

First, the consultation paper we are putting out this summer and subsequently through the fall was certainly not complete as of April and was not in a form where we felt in April that it should be submitted. It will be put out in the summer and in the fall.

The second thing is that the statement which was made concerning the chronic care hospitals is one that I would not have had announced at that time. However, the member is correct, it was announced, and we are not confirming or negating this at this time in this House.

Mr Jackson: That is an incredible statement for the minister to be making. It is bad enough that she does not do her homework, but the government is not even allowing her to make public what the lesson is going to be. Let's face it, we have blockages in our chronic care health delivery. We have cutbacks in homes for the aged beds, we have cutbacks in nursing home beds, we have cutbacks in the chronic care psychogeriatric wards and now we have

word, as the minister has confirmed, that the government is considering cutting back chronic care hospitals.

There are going to be incredible blockages in the health care delivery system in this province unless we get on with the agenda of long-term health care reform. We know that Peter Clutterbuck's report has been completed and sitting on the minister's desk since April. Groups all across Ontario are anxious to get on with the reform, and the minister simply says she did not like what she saw in the report and she is not prepared to proceed with it. What is going to happen to those senior citizens who are now on three-year waiting lists for chronic care beds in this province as we see cutback after cutback? Where is the planning? Where is the time frame? When is the minister going to get on with it?

Hon Ms Akande: If the member is in love with Mr Clutterbuck's plan, then he should, of course, distribute it. It is not the plan, the consultation paper that we are putting in place. We did announce that levels of care funding will be coming in during 1993. In fact, we do have a plan in place which we described to the House at that time.

We are also quite aware that one of the things we are trying to do is to replace chronic care with the kind of facilities that are really useful in the community so that people can be served in the community and so that excessive expenditure does not go to support people whose needs cannot be met within chronic care and where chronic care is not necessary.

We did announce those things. Yes, I did my homework. The other problem is, though, that the member is a selective listener and has difficulty comprehending information that is given in more than one-syllable words.

CHILDREN'S AID SOCIETY OF YORK REGION

Mrs McLeod: I also have a question for the Minister of Community of Social Services, this time on a different topic, although I think we are all amazed on this side of the House with the answer that was just given to the last question.

I would like to draw the minister's attention to a press release last week in which the minister indicated she was appointing a new children's aid society corporation and board in York region. We are all aware that the reason the minister took this step was that the previous board felt it had no choice but to resign. The board members felt completely unable to meet their responsibilities under the act with the inadequacy of funding provided by the ministry.

I was dismayed to read the comments of the minister in relation to the members of the new board when she said these members were keenly interested in how services can meet the needs of the area's children and families. Surely the minister would acknowledge that the members of the old board in York region were equally keenly aware of and keenly concerned to meet the needs of the children in York region. Would she also acknowledge that this whole fiasco in York region is a result of the attempt to find a board that would acquiesce to the government's requirements for cuts in spending? Perhaps she would tell us all what she has told the new board to do.

Hon Ms Akande: I welcome the opportunity to answer this question. It seems to me that it is a rather late and

slow response to the needs of a children's aid society that have been growing for five years. It seems to me it would have been easier to address one's response to that deficit last year, when there was a surplus, yet that was not done. We offered \$7.6 million towards that deficit, considerably more than what was offered by any previous government. We attempted to work with the board while we were altering the way in which we look at funding for the CAS. That was met with the resignation of that board.

We have a responsibility to see that children are not at risk and to see that the system is maintained so, in response to the resignation of others, we initiated a new board.

Mrs McLeod: As the minister will probably be aware, the previous government was concerned about the consistency of funding for children's aid societies and the previous minister initiated a review that the minister should be well aware of, to be able to address the funding concerns that were being presented by children's aid societies even then.

Interjections.

The Speaker: Order.

Mrs McLeod: I also suggest to the minister that we would have been well aware that in a time of recession, as we tried to indicate in a question last week, it is children in families under stress who become even more at risk, which is why children's aid societies across this province are seeing more and more children come into care.

I raised this concern with the minister earlier and I was more than a little surprised to have her say in her response that direct services to children were always funded and that it was largely capital costs that were of concern. That was not the case in York region; I do not believe it would be found to be the case in any children's aid society across the province. We know that additional administrative costs as more children come into care are not being met. We know there are many areas in which preventive services are not being funded. We know that cash flow problems, as more and more children come into care, are becoming absolutely critical.

There are very serious concerns about the consistency and the rationality of funding for children's aid societies. The minister can change boards as frequently as she would like and that will not change the reality. I would ask if she would direct her ministry to acknowledge the real cost concerns of children's aid societies across this province and undertake to fund the very legitimate costs of mandated services.

Hon Ms Akande: I thank the member for the review of the costs that make up the deficit. It seems to me that a government that so strongly understands it might have addressed it.

I have to say we have attempted and are attempting to look in a comprehensive way at a new way of funding the CAS. We recognize the difficulties. Of course, the member is correct, the additional support costs were not picked up; some of the capital costs were not picked up. One would recognize long before five years came to an end that those costs would definitely be added when more service providers

who work directly with the children are added. Nevertheless, those costs were not picked up. We have attempted and are continuing to attempt to find a better way of funding the CAS.

ALTERNATIVE FUELS

Mr Villeneuve: I am sure the Minister of Agriculture and Food is aware of the verbal commitment the NDP, his party, has given to fuel ethanol and to the great advantage that it would have towards cleaning up our environment. After all the verbal support we have heard, can he tell us today what support he, as the Minister of Agriculture and Food, and other ministers—of Energy, Transportation, etc—give to providing a cleaner burning fuel by mixing ethanol and other fuel?

Hon Mr Buchanan: I am very pleased to have that question presented today. We are co-operating with our colleagues the Minister of Energy and the Minister of Transportation. We hope to be able to have some pilot projects up and going the first of next year. We are working over the summer and the fall looking at what we can put together to start off, hopefully, with something that will be a small pilot project, something that can grow and be of benefit to rural Ontario.

1500

Mr Villeneuve: I appreciate that pilot projects are great. However, we know it is working well in other provinces. It is working extremely well in the United States. More ethanol is being burned in the United States than all of the fuel in Canada. The Ontario Global Warming Coalition has reported that there would be great advantages to blending fuel ethanol with fuel. It also recommends a 10% ethanol blend, which would therefore reduce the amount of fuel we would need by 10%. That 10% would indeed be a renewable source of fuel. Above and beyond, we have to have a little better than pilot projects, because we know it works and it works well. When will the minister announce an industry that will help to clean the air and also help agriculture?

Hon Mr Buchanan: I do not know what the member is suggesting. The point is that we do support the use of ethanol, we support the 10% mix concept and we are currently investigating exploring ways of getting that going, starting with small sites for the production of ethanol, looking at what kind of agreements can be worked out with the fuel companies and so on, so that it can be brought on stream in an economical and a timely way.

AGRICULTURAL PROGRAMS

Mr Drainville: I would like to direct my question to the Minister of Agriculture and Food. Recently Victoria county's economic strategy steering committee reported that the county should consider focusing on four sectors of the local economy to develop long-term economic growth. One of these was integral to the economy; that is, the agricultural sector. Specifically, the report called for ways to add value to agricultural production. Could the minister inform the House of any programs or initiatives he has undertaken to address this fundamental issue?

Hon Mr Buchanan: I think the best initiative that addresses the point the member makes is that back in January we announced Innovation Agriculture, a new group of professionals within the ministry that is looking into new initiatives as to how we can look into value added production, as the member says, and look at how we can market non-traditional crops and livestock commodities. Working directly with farmers and local groups and organizations, they are going to be exploring to see how we can expand on new strategies and value added production in rural Ontario.

Mr Drainville: I thank the minister for that, but one of the important things is that we are in a time constraint right now economically. We need some of these initiatives to take place as soon as possible and they need to be able to expand the economy. What are the time lines?

Hon Mr Buchanan: The hiring for the five positions I mentioned earlier started last week and hopefully will be concluded this week. The positions will be filled. We hope the program is going to be fully operational by September. There will be consultations going on around the province. This is a provincial program that is headquartered in Guelph. They will be going around and meeting various groups across the province starting in September.

LONG-TERM CARE

Mr Phillips: I would like to follow up the rather unusual announcement today by the Minister of Community and Social Services. As members know, we have been pushing very hard on the government's plans for long-term care reform. Then we hear today that the plans seem to be to close the chronic care hospitals. I think members can appreciate how the patients in those facilities will be feeling right now with the announcement by the minister today that she will not be confirming or denying. I wonder if the minister can be a little bit more specific, so that we can provide some reassurance to those patients now in those hospitals who must be wondering about their future.

Hon Ms Akande: There will always be chronic care hospitals. There will always be people who require that kind of care. However, we have announced that we are focusing on a shift of service into the community, not for everyone but certainly for those people who are now placed in facilities like that when that is not necessary. In order to do that, we have refocused funds so that we can in fact build up services in the community to take and to care for and support people appropriately there. Those who require chronic care will always have chronic care facilities.

Mr Phillips: Actually the minister has announced nothing. Believe me, she has spent eight months doing nothing, studying it and doing nothing. We still do not have her report, her consultation paper, after eight months. It is supposed to be coming out in the summer and then there is to be more consultation. She has announced nothing.

I wonder if I might follow up again on the answer she gave. I think she said, "We will be replacing"—these are the words I think she used—"chronic care hospitals with the kind of care that is useful." I believe those are the minister's words. I ask her what she meant by the remarks

that she will be replacing chronic care hospitals with the kind of care that is useful.

Hon Ms Akande: I will be subject to check, but I do not believe I used the word "useful." However, what I do mean is that we will be replacing the extent of chronic care to put greater support within the community. With levels of care, only those people who are assessed as actually requiring chronic care will be given such in chronic care hospitals. Others who are currently using those services who do not actually require them will be directed to what are more appropriate community support services.

GRAPE AND WINE INDUSTRY

Mr Runciman: My question is for the Minister of Consumer and Commercial Relations. Last month I made a statement in the House in respect to the fact that a company in Grimsby, Rieder Distillery, which purchases surplus grapes from the provincial government and then uses the surplus grapes to produce a quality brandy, has had no success in attempting to sell its brandy to the Liquor Control Board of Ontario. Instead, the LCBO purchases brandy from France and then bottles and sells it. Since we are talking about Ontario grapes, an Ontario producer and Ontario brandy, can the minister give us any reason why the LCBO should not purchase Rieder Distillery's brandy?

Hon Ms Churley: I do not have the answer for the member today. I was not expecting this question today. It did come up some time ago and it was not directed to me at that time, but I would be very happy to get back to the member tomorrow if he would like.

Mr Runciman: I made a statement in the House and I believe that when we are talking about the LCBO we are talking about the minister's responsibilities. If her staff were on their toes, I think at the very least they would bring this to her attention. Maybe I am being too harsh. This is perhaps reflective of this whole government's approach in terms of the economy. This may be a relatively small matter, but we are talking about an Ontario producer.

I want to put a quote on the record in respect to a letter I received from the Ontario Grape Growers' Marketing Board in response to the statement. At least they were listening. They paid attention and they were commending my party's position. "Otto Rieder's brandies earn awards around the world, so there can be no questioning the quality of the product he produces." We are talking about first-quality products.

I would like to have some kind of response from the minister. When Ontarians go into a liquor control board store in Ontario and they see an Ontario crest label on a product, I think it is only reasonable they assume this is an Ontario product. Why can she not take steps immediately to ensure this is indeed the case?

Hon Ms Churley: Mr Speaker, I must admit I had trouble hearing the question well because of the din around me. You may have noticed that yourself.

Interjections.

Hon Ms Churley: Now it is getting louder.

However, I agree with the member of the third party that this is a very serious issue and one I am concerned

about. I would like to point out to the member that I do have over 50 acts in my ministry, and although my ministry is not one of the ones that are in the media and questioned every day, there are a number of issues that I deal with daily. This is not an excuse. It just so happens that, as I said earlier on when asked a question, I hate to give fluff answers. I like to be able to answer a member's question properly. I have said I will do that tomorrow. If he will be just a little bit more patient and a little bit more understanding, I will give him an answer tomorrow.

1510

EMPLOYMENT ADJUSTMENT

Mr Jamison: As most of the members are aware, an announcement was made by the Ministry of Labour in January that the government would be providing an additional \$25 million in new funding to create new programs to assist laid-off workers and enhance existing ones. The Ministry of Labour programs which will benefit from this include community help centres and the Transitions program. When does the Minister of Labour expect a decision around the funding to the workers' support centres to be finalized?

Hon Mr Mackenzie: In terms of the labour adjustment initiatives that we announced some time ago, we are up and running on all of them. We currently have regional committees assisting people in Milverton, Wawa and North Bay and we are working on Kapuskasing and Elliot Lake. We have made help centre funding to four communities. We have special initiatives funding to some six other communities. We have over 100 plant-level committees currently in place as a result of the labour adjustment funding and we have hired nine special advisers for community assistance and assistance where plants have closed. All of this is currently under way. We are looking at additional requests, of which there is a large number, for help centres. We are evaluating those requests as we receive them.

Mr Jamison: Upon allocation of the funds, what would be the expected time frame between application and review of the criteria and actual disbursement of funds?

Hon Mr Mackenzie: The chief problem here will be which of the additional requests we have had we are able to meet, and that should be done fairly shortly. As I say, we have a number of cities where the funds are already in place and we have had a large number of requests for assistance which we are currently evaluating. I do not think it will take too much time to put them in place once we find out just how many additional centres we can fund.

ROUGE VALLEY

Mr Ramsay: I hope the Minister of Natural Resources is aware of the Pinegrove Forest site that is at the eastern edge of the Rouge Valley park land. It contains the last nesting colony of great blue herons in the Metro region. But this site is slated for immediate development.

The ministry recently completed a life science inventory of the site and recommended that a portion of this site be set aside as an area of natural and scientific interest, an ANSI. This classification would at least give this site some

partial protection. Time is of the essence, though, because Pickering council tonight gives consideration to development of this site. As of an hour ago, when I checked with the planning department, it had not heard any word from the minister or his ministry as to provincial interest in this site. Will the minister be expressing his concerns to the city of Pickering today? Will he be following his ministry's advice that this area should be saved?

Hon Mr Wildman: The question is an important one. I appreciate the member raising it. The matter is under active review and we will be making a decision shortly.

Mr Ramsay: I appreciate the minister's concern but I hope active review will culminate this afternoon. We really need to have an indication of provincial interest to the council at Pickering tonight as it is going to be making a decision on this. As he knows, the Rouge Valley park advisory committee has sent him many recommendations as to how this total area should be managed.

This is only one of many threats to this area. I am sure the minister would be aware of the many golf course proposals being addressed for this site that have to be looked at. Now citizens' groups, not government, are basically being asked to take the lead in preventing storm water ponds being established in this particular site. As we speak, again, other condominium projects are being proposed not 10 metres from the edge of the Rouge Valley.

I would ask the minister that he make sure there is no longer the confusion of provincial government and municipal government working together. We need to have some co-ordination so that municipalities, planners, everybody involved in the Rouge Valley area, knows where the government stands and so we get a co-ordinated approach to planning in this area.

Hon Mr Wildman: As the member knows, the protection of the Rouge Valley generally is a very high priority with this government, and the various ministries and agencies that are involved are co-ordinating their efforts to ensure that we protect the Rouge. I would say, in addition to what I said earlier, I have every confidence in the scientific work done by my ministry staff and I am very supportive of the program on areas of natural and scientific interest program, as I am sure all members are, including the member for Grey. We are determined to do what we can to ensure that the protection of the great blue heron rookery is carried out.

NATIVE HUNTING AND FISHING

Mr McLean: My question is for the Minister of Natural Resources. The minister knows Algonquin Park provides some of the finest lake trout and brook trout angling in Ontario. Historically and today, access and harvesting limitations have collectively served to preserve these heritage trout populations, which typically allow a harvest of only one-quarter to one-half pound per acre of lake per year.

These regulations are clearly necessary for the proper management and conservation of the park's fisheries resources. The park's lakes are small and natural populations are very low without access and harvesting limitations that are at least as restrictive as those in effect today. The

ministry's own published research clearly indicates these heritage fisheries will be extremely vulnerable to over-harvesting to the point of extinction.

Does the minister acknowledge that current access and harvesting limitations are essential to sustain Algonquin Park's outstanding fisheries?

Hon Mr Wildman: I am sure the member is aware that the reason we have the limitations is that they are considered necessary for sustaining the fishery.

Mr McLean: In the minister's response to the Algonquin Park management plan review, the minister has changed the Algonquin Park goals statement to place more emphasis in the future on protection and recreation objectives. I also note in the interim enforcement policy announced recently by the minister that aboriginal rights to fish for food must first ensure that conservation and resource management concerns have been satisfied, as required by the Sparrow decision.

Why is the minister currently allowing the Algonquins of Golden Lake to drive over logging roads that are closed to the public to gain access and fish throughout the interior of the park? Why is he allowing this when it threatens fisheries and destroys a higher priority resource, the wilderness recreation experience of other park users? Why is he allowing this when it is totally unnecessary, as the food needs of the Algonquins can be met entirely closer to their homes outside the park?

Hon Mr Wildman: This is a very difficult question and one that I hope the member will agree is not easily resolved. He knows we are currently involved in negotiations that will attempt to deal with this issue.

I think it is important for all of us in this House to recognize that we cannot, on the one hand, say we support aboriginal rights to hunt and fish for food and for ceremonial purposes, as guaranteed in the Constitution of this country under section 35 and as has been supported by the Supreme Court of Canada, and then on the other hand say we should not enter into discussions with the aboriginal people on how that right can be exercised while meeting our obligations under the Supreme Court decision to protect conservation.

These are not easy negotiations. They are a top priority of this government. We will be working as quickly as possible to resolve these issues and to come up with interim agreements acceptable to all to ensure that the rights of the aboriginal people are protected, as all members say they wish them to be, while at the same time protecting the conservation and park values of Algonquin Park.

LONG-TERM CARE

Mrs MacKinnon: My question today is directed to the Minister of Community and Social Services. As everyone in this caucus is aware, I am sure, long-term care is one of my priorities, inasmuch as many of the residents in Lambton county are in that type of facility. Could the minister please tell me what ways the long-term care direction is different now than it was with our former government?

Hon Ms Akande: I am very happy to answer that question. Number one, we will significantly enhance the

commitment to community and neighbourhood support services. As a matter of fact, we will pick up the deficits for all of the budget that the government approves, so that will be an increase and it will be unnecessary for those particular facilities to raise additional funds.

There will be no charge to consumers for services provided in the home, such as health care, personal care and homemaking. The Ontario government will pick up all those charges. The previous government was accepting only the health care charges.

We will make a substantial investment in supported housing programs, enabling seniors to live in the community. We are allocating funds from the hospital sector to long-term care services in the community—the reallocation of an additional \$37.6 million—and we are creating new service co-ordination agencies. The communities will be involved in the development of those agencies.

1520

CONSUMER PROTECTION

Mr Mahoney: My question is to the Minister of Consumer and Commercial Relations. As I am sure all members of this House are aware, senior citizens are particularly vulnerable to being defrauded by unethical business practitioners. Recently on CKCO television, several cases involving—

Interjection.

Mr Mahoney: I am sure you can hear this. Several cases involving the defrauding of senior citizens were reported, including the case of an elderly widow who wound up spending over \$40,000 on home repairs, subsequently valued by police at about \$10,000.

Our Liberal government unveiled a comprehensive consumer protection code last July that was aimed at protecting vulnerable consumers, in particular seniors. This government has done nothing to implement this legislation. Meanwhile, the minister appeared on CITY-TV stating that Ontario needs a comprehensive consumer protection code. Maybe she is not aware that this legislation has already been drafted. Does the minister plan to do anything to protect senior citizens from these home repair and other frauds and is she ever planning on introducing the consumer protection code?

Hon Ms Churley: I certainly did not have any trouble hearing this questioner.

I am happy to say I am very aware of the code. I have reviewed it thoroughly and I hope to bring it forward very soon.

I want to tell the member that I am extremely concerned about the abuse that not only seniors but other consumers in this province are taking. However, the consumer code as devised by the previous Liberal government is not thorough enough. I have had the opportunity as the new minister to review the code, and it is inadequate. In the complex marketplace of today, it leaves out some components that are very important to bring into any new consumer legislation. However, I thank the member for bringing the concern forward. I can guarantee that the new consumer protection I am putting into the code will be brought forward very soon.

Mr Mahoney: I have a lot of concern about the minister's apparent flippant disregard—not for the work necessarily of the former government, because it does not surprise me that she would take a partisan position on that, but the fact is that several stakeholder groups were involved in negotiating over months and months of consultation.

Mr Sorbara: Years.

Mr Mahoney: Years. The former Minister of Labour says years, because they were involved. The Ministry of Industry, Trade and Technology was involved. We had parliamentary assistants who attended meetings on behalf of the ministries. We had the consumer associations involved. We had the small business community involved.

Mr Sorbara: We had the trade unions involved.

Mr Mahoney: We had the trade unions involved. I do not know who the minister needs to involve now or how she thinks she is going to solve this problem. In the meantime, we have senior citizens getting ripped off out there, with no alternative, with nobody to turn to, while this minister simply fiddles around with the legislation.

The Speaker: Your question?

Mr Mahoney: I have noticed the minister has replaced the former minister's signature on all the elevators in the province. So at least she has accomplished that.

The Speaker: Do you have a question?

Mr Mahoney: I guess that takes a lot of time, with the white-out and the new pen, to go around and change all that.

The Speaker: Does the member have a question?

Mr Mahoney: I have noticed that the birth certificates take longer than ever to get. When is the minister going to do something that will help the seniors? The minister responsible for senior citizens' affairs is ignoring them. We have a consumer protection piece of legislation where the work has been done. She is allowing it simply to gather dust. The minister should do something.

The Speaker: Will the member take his seat, please.

Hon Ms Churley: I hope I will be allowed at least half the time to respond to the very lengthy tirade that was just presented to me instead of a question, even though the question period is up. First of all I want to tell the member that I am not as flippant as he is about this particular situation. I think he has to bear in mind that a Liberal government was in power for some time and that government did not bring in new consumer protection legislation. I think we have to keep that very much in mind. In the meantime I have consulted with many of the groups he mentioned today. He might be surprised to know that I have a good working relationship with those groups. The consumers' organization, for instance, agrees with me that, even though it is anxious to have this legislation brought forward, there are some components, for instance, plain language—we are looking at other kinds of issues—that have been left out. So I just want to assure the member again that in fact I am working very hard.

In closing I have to say that of the 50 acts I have now in this ministry, a number need complete overhaul. Some have not been touched in years and years. Work on others

was started by the Liberals but got nowhere. These need the attention of this government to make sure they are adequate for the people of Ontario.

The Speaker: The time for oral questions has expired.

MULTICULTURALISM

Hon Mr Pilkey: Mr Speaker, on a point of privilege on a non-partisan matter: I would just like to recognize that the Minister of Citizenship received a document today, Multiculturalism Alive, a resource kit. It is being distributed to all members of this House for their very careful consideration, which I know they will give it. I would just like to indicate very briefly that Carman Germano, who was chairperson for this particular document that seeks to build on our cultural diversity towards equity, and Brian Vrebosch, president of the multicultural council, are here in the gallery and have enjoyed the support of all members of the House in the past with respect to this particular message. I would like to acknowledge their presence and recommend that all members give this very careful attention because I know their feelings with respect to multiculturalism.

MEMBERS' COMMENTS

Mr Hayes: I was always brought up to respect other people and their views, and even though some of our beliefs and things are not the same, I think in this House we should show respect for our colleagues regardless of what side they are on. On Thursday 20 June I kind of let my emotions get carried away and I did a more or less personal verbal attack on the member for Etobicoke West. I would like to apologize to that member and hope he accepts my apologies.

Mr Stockwell: I certainly accept the apology and I would like to offer mine as well because the personal attack was not one way.

The Speaker: As one who is often caught in the middle of the cross-fire, I appreciate the twin apologies.

1530

MULTICULTURALISM

Mrs Caplan: I would rise on a point of order on the statement that was just made by the Minister of Industry, Trade and Technology. There are people here in the gallery. All parties should have had an opportunity to respond. What he said belongs more properly during ministers' statements. In fact, because of the significance of the document, it should have been a statement from the Minister of Citizenship. His conduct was out of order and I am offended as a member of this House that I have not had an opportunity—

The Speaker: Would the member take her seat. When I have everyone's attention I will address the matter raised.

Now that we are all relaxed and happy I can address the matter raised by the member for Oriole. Indeed, she raised a point which has been raised on other occasions and is a matter of concern because it affects all parties. There are occasions when members wish to introduce guests in the gallery. I suggest it would be certainly appropriate if, in advance of question period, the House leaders were consulted with respect to who might rise on a point

and gain the unanimous consent of the assembly to make remarks. That perhaps would be a more orderly way to handle these types of situations.

Our orders do not provide—and perhaps they are deficient in not so doing—an opportunity to introduce a wide variety of guests. I realize members' intentions are honourable, that they wish to pay attention to, and have attention brought to bear for, special guests who appear here, but perhaps there is a little more orderly way of doing it. For the time being, I suggest they work through the House leaders to achieve what they wish to achieve.

Mrs Caplan: Mr Speaker, with respect, I think I have raised a legitimate point of order—

The Speaker: Yes, and I have responded to it. Would the member take her seat, please.

I beg to inform the House—

Interjections.

The Speaker: A point of order was brought to my attention; I have dealt with it.

REPORT BY COMMITTEE

COMMISSIONERS OF ESTATE BILLS

The Speaker: I beg to inform the House that the Clerk has received a favourable report from the Commissioners of Estate Bills with respect to Bill Pr70, An Act respecting The Royal Conservatory of Music.

Accordingly, pursuant to standing order 84(e), the bill stands referred to the standing committee on regulations and private bills.

PETITIONS

LAND REGISTRATION

Mrs Mathysen: Today I am presenting a petition from 1,007 residents of the Glencoe area who respectfully ask the government of the province of Ontario to reconsider the closure of the land registry office in the town of Glencoe for the benefit of the town and rural community it serves.

OATH OF ALLEGIANCE

Mrs Sullivan: I have a petition from many people from Oakville and Burlington which reads as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the assembly shall demand that the government of Ontario rescind its decision to eliminate the oath of allegiance to the Queen of Canada for police officers who must uphold laws that are proclaimed in the name of Elizabeth II."

I have affixed my signature to the petition and concur with it.

PROVINCIAL COLLEGES

Mr Grandmaitre: I have a petition which reads:

"Whereas Ontario provincial colleges are not required by provincial law to pay sessional teachers the 4% holiday pay that all Ontario employers are required to pay their employees, we request that the Legislative Assembly move to included these provincial colleges in the above-mentioned law."

PHOSPHATES

Mr Cleary: I have a petition sponsored by the resource centre in my riding. It has over 1,600 signatures and it says:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To ban the manufacture and sale of detergents containing phosphates."

INTRODUCTION OF BILLS

TRUCK TRANSPORTATION AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI
SUR LE CAMIONNAGE

Mr Philip moved first reading of Bill 129, An Act to amend the Truck Transportation Act, 1988.

M. Philip propose la première lecture du projet de loi 129, Loi portant modification de la Loi de 1988 sur le camionnage.

Motion agreed to.

La motion est adoptée.

Hon Mr Philip: Mr Speaker, the purpose of the bill is to assist the for-hire trucking industry by placing a moratorium on new trucking licences within the province, and by regulating load brokers.

TOWN OF OAKVILLE ACT, 1991

Mr Carr moved first reading of Bill Pr82, An Act respecting the Town of Oakville.

Motion agreed to.

CITY OF NORTH YORK ACT, 1991

Mr Mammoliti moved first reading of Bill Pr62, An Act respecting the City of North York.

Motion agreed to.

RETAIL SALES TAX AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI
SUR LA TAXE DE VENTE AU DÉTAIL

Ms Wark-Martyn moved first reading of Bill 130, An Act to amend the Retail Sales Tax Act.

M^{me} Wark-Martyn propose la première lecture du projet de loi 130, Loi modifiant la Loi sur la taxe de vente au détail.

Motion agreed to.

La motion est adoptée.

Hon Ms Wark-Martyn: Mr Speaker, this bill, An Act to amend the Retail Sales Tax Act, implements the changes announced by the Treasurer in his statement today. The bill replaces the tax on fuel inefficient vehicles with the new tax for fuel conservation.

1540

ORDERS OF THE DAY

CITY OF OTTAWA ACT, 1991

Mr Chiarelli moved second reading on Bill Pr31, An Act respecting the City of Ottawa.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF TORONTO ACT, 1991

Mr Silipo moved second reading on Bill Pr33, An Act respecting the City of Toronto.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF TORONTO ACT, 1991

Mr Silipo moved second reading of Bill Pr34, An Act respecting the City of Toronto.

Motion agreed to.

Third reading also agreed to on motion.

MAGNUM INTERNATIONAL PRODUCTIONS INC
ACT, 1991

Mr Elston, on behalf of Mr Mahoney, moved second reading of Bill Pr42, An Act to revive Magnum International Productions Inc.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF TORONTO ACT, 1991

Mr Silipo moved second reading of Bill Pr50, An Act respecting the City of Toronto.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF OTTAWA ACT, 1991

Mr Chiarelli moved second reading of Bill Pr63, An Act respecting the City of Ottawa.

Motion agreed to.

Third reading also agreed to on motion.

MULTIMOBILE CORPORATION LIMITED ACT, 1991

Mr Offer moved second reading of Bill Pr65, An Act to revive Multimobile Corporation Limited.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF CHATHAM ACT, 1991

Mr Hope moved second reading of Bill Pr75, An Act respecting the City of Chatham.

Motion agreed to.

Third reading also agreed to on motion.

THIRD READINGS

TROISIÈME LECTURE

The following bills were given third reading on motion:
La motion de troisième lecture des projets de lois suivants est adoptée :

Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act;

Bill 30, An Act to amend the Education Act;

Bill 36, An Act to amend certain Acts respecting Assessment;

Bill 79, An Act to amend the Gasoline Tax Act in respect of Liability for Tax on Transfers of Gasoline, Aviation Fuel or Propane;

Projet de loi 79, Loi portant modification de la Loi de la taxe sur l'essence concernant l'assujettissement à la taxe lors de transferts d'essence, de carburant aviation ou de propane.

Bill 82, An Act to establish the Treasury Board.

Projet de loi 82, Loi créant le Conseil du Trésor.

1550

RENT CONTROL ACT, 1991

LOI DE 1991 SUR LE CONTRÔLE DES LOYERS

Mr Cooke moved second reading of Bill 121, An Act to revise the Law related to Residential Rent Regulation.

M. Cooke propose la deuxième lecture du projet de loi 121, Loi révisant les lois relatives à la réglementation des loyers d'habitation.

Hon Mr Cooke: I will be relatively brief on this bill and I look forward to the—

Mr Elston: That is a relief.

Hon Mr Cooke: I am not a lawyer, Murray.

I would like to very much thank the people who have participated over the last several months in the development of this bill.

The members will be aware that very shortly after we formed the government we brought in the temporary rent control legislation, commonly known as Bill 4, which was legislation put in place until we could develop, in consultation with the people of this province, permanent rent control legislation. The discussion document we produced and released in February resulted in this legislation.

I do think it is important to review briefly the extensive consultation we went through with thousands of people across the province to develop Bill 121. The green paper, the consultation paper itself, went out to 20,000 individuals or groups across the province. Many of them, of course, were requests to people who wanted to read the extensive document and wanted to comment.

A summary copy of the consultation document went to 980,000 households across the province, to every tenant household, because we wanted tenants to participate in the development of this legislation. Also, thousands of copies went out to landlords across the province as well, the summary document as well as the full-sized document, in order to facilitate the involvement of landlords in this consultation process as well.

There were 20 communities across the province that we visited, seven of which where we had public meetings, and over 1,200 people attended. There were approximately 500 submissions through those meetings.

I should also indicate that in response to the 980,000 summary documents that went out across the province, 17,000 people filled out the questionnaire and gave us their opinion on what they thought should be in the permanent rent control legislation.

Then, of course, there are many umbrella groups, or groups that represent landlords and tenants. We had 25 direct meetings with groups like Fair Rental Policy Organization of Ontario, with groups like the Association for Furthering Ontario's Rental Development, the small landlords' organization, and the Metro Toronto Federation

of Tenants, the United Tenants of Ontario and the Ottawa-Carleton Federation of Tenants' Associations, those types of groups that represent a larger number of affiliated groups that come under their umbrella.

All in all, we met with thousands of individuals and listened to their points of view in an attempt to come up with a piece of legislation that represented real protection for tenants in this province but also a system that was workable and responded to some of the concerns that had been expressed by the private sector, by landlords, in the consultation process.

Mr Tilson: Do you think you succeeded?

Hon Mr Cooke: Yes, I do. I think we have found a piece of legislation that, sure, some of the tenant groups say does not meet all of their demands and some of the landlord groups say does not meet all of their demands. But if people take an objective point of view and look at this legislation they will see a product that is a result of a government that is listening and wants to develop the piece of legislation that will offer that real protection for tenants, both in terms of rents and in terms of maintenance, and also will be fair to the landlord community in dealing with the legitimate requirements of some money to deal with capital.

I have said all along, right from the beginning, that the permanent legislation would have to deal with the capital issue.

Mr Elston: Is that all along from the beginning?

Hon Mr Cooke: Yes, whatever. I think it is important that people understand the components of the rent increases that are provided for in this legislation and some of the important components or features that I believe make this legislation very fair.

There are two guidelines in this legislation, and it is important that members of the Legislature understand it. This is the first piece of rent control legislation in the province that recognizes there are some differences between small landlords and large landlords. That is something we heard time and time again during the consultation process. I would suggest that the standing committee on general government, when it was examining Bill 4, heard that concern as well, that small landlords and large landlords have some different concerns and issues, and that government should try to treat small landlords in a different way from large landlords.

Previous governments said that was impossible. They did not respond; they did not do it. In this legislation we have brought out some very significant areas where small landlords will be treated differently from large landlords.

The guideline itself has two guidelines, one for the large landlords and one for the small landlords. The guideline is made up of inflation, to reflect the increased costs due to inflation, and also capital. I want to point out that it is the inflation guideline that treats small landlords differently from large landlords. The guideline reflects 66% of the inflation costs for small landlords. If this legislation were in place this year it would produce a guideline for inflation purposes of 3.4% for small landlords, and for

large landlords it would produce an inflation guideline of 2.6%.

In addition to that, we have said we would build in an additional 2% in rent increases for capital. This is a very important aspect of the index, because I think it is fair to say that one of the arguments the Conservative Party has used, in particular, and landlords have used is that under the temporary legislation there was no provision for capital, but we are making it very clear, which has not been the case in the past, that the guideline includes provisions for capital.

That has been the case in the past, but there was somehow the perception by the landlords' community and by the Conservative Party that the 5.4% in the guideline under the Liberal legislation did not include anything for capital, and that if any amount of money was spent on capital in apartment buildings it had to result in above-the-guideline increases. That is simply not the case, and for the first time, this legislation makes it very clear. The guideline has two components, inflation and capital. We expect the rents being paid now, the \$8 billion in rents being collected across the province, should include the responsibility of landlords across the province to properly maintain their buildings. I think the distinction in the guideline of inflation for operating costs and the 2% for capital is important.

One of the arguments the Conservative caucus has used is that 2% is not enough for capital, but I should remind members that this is 2% per year, so it develops over a very short period of time a significant amount of money from the rents being collected to provide for capital investments in our apartment buildings and will definitely provide adequate capital for the vast majority of landlords in this province. But we have indicated that for those landlords for whom the 2% is not adequate, because there is a range of financial conditions for apartment buildings across the province, there will be the provision of above-the-guideline increases, but we have put several conditions on the above-the-line increases.

I think one thing should be made very clear. There are only three ways that a tenant can get an increase above the guideline: municipal taxes, utilities, or necessary capital expenditures. Those are the only three ways there will be an increase above the guidelines for tenants in this province.

There is a complex formula that members will be aware of that describes what extraordinary increases in utilities or property taxes are.

Mr Elston: It is complex.

Hon Mr Cooke: It is complex, but the one thing I have clearly learned in dealing with this legislation is that on each of the issues I had to make a judgement of whether there had to be some complexity in order to be fair, and whether the additional fairness that is achieved is worth that additional complexity.

On that issue of extraordinary increases in operating expenditures for utilities and property taxes I believe fairness dictates that there be a little bit of complexity in it, so that landlords can be treated fairly and so that there can be a regional recognition in the inflation aspects to rent increases in case there is an abnormal increase in property

taxes in a particular region or an abnormal increase in some of the utilities that could not possibly be recognized by one guideline that would apply right across the province.

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In addition to those two exceptions for operating expenditures, there is the provision to get capital expenditures passed through. Again I want to emphasize there can never be an increase above the guideline of more than 3%. We have for the first time defined what necessary capital is. We have talked about necessary capital being capital that is related to the integrity of the apartment building, that is for environmental reasons, for energy efficiency, for electrical, for plumbing, those types of capital expenditures that are absolutely essential to the integrity of the building and therefore the health and safety of the residents of the apartment building.

I think that is absolutely essential, because certainly one of the major complaints we have heard over the years about the previous rent regulation legislation in the province is that unnecessary capital was being spent. The example of marble lobbies was used. I think it is only fair that if capital is going to be allowed, if a landlord wants to put in a marble lobby in order to increase the value of his apartment building, increase the value of his investment, that is fine, he can still do it, but under our rent control system he is not going to be able to pass that cost through to the tenants.

It will be an investment that is the responsibility of the landlord, and his return on that investment will be in the increased value of the apartment building. I think there is pretty much a consensus with both landlords and tenants that this type of unnecessary capital should not be paid for by the tenants of the province. That is the type of capital that will be allowed.

There are other aspects to the capital expenditure issue that I think we can discuss and debate in the committee when there are public hearings across the province. I have certainly indicated to the landlords' groups and the tenants' groups that if there are improvements that can be made in this area in terms of definitions, we are more than willing to listen to people to try to improve the legislation through the public hearing consultation that will take place.

Another important aspect of this legislation is the provision for maintenance, because there is nothing I heard more about than the fact that some apartment buildings in the province are not adequately maintained. Certainly the landlords' groups as well indicate that they are not happy with the landlord who does not properly maintain his or her buildings. It is an embarrassment to all landlords when a building is not maintained and has work orders and so forth written against it by municipalities.

What we have done in this legislation for the first time is say that if a municipality has a work order against a particular apartment building, there are I believe 30 days provided under the other legislation for a building to come in compliance, to solve the issue, to fix the infraction that has resulted in the work order. If after the 30 days the problem with the building has not been repaired, then the ministry, through the rent control division, will automatically

put in place a rent penalty and the rent penalty will be the guideline increase.

I believe the automatic nature of this provision of the legislation, this rather substantial improvement in the system that will result in a rent penalty taking place, will result in infractions of legislation that result in work orders being repaired much more quickly.

This will result in Ontario's apartment stock being maintained more quickly and landlords being more responsive. The landlords who are the consistent offenders will pay a heavy price. As a result, I think there is a real incentive to repair buildings quickly, which has been met with a general positive response from the landlord and tenant community.

I should just go back for a second to the provisions for capital expenditures, the above-the-guideline increases, and point out that we have provided in this legislation for a carryover of capital expenditures. In other words, if there is an application for an above-the-guideline increase and the capital expenditure that is resulting in that application is, say, 5% of the rent, then what will happen is there will be a provision for a carryover. They will get 3% the first year and 2% the second year.

For small landlords, there is the provision for two years of carryover and for large landlords, one year. That is another example in the legislation where we have tried to be sensitive to the different demands on small landlords as opposed to larger landlords.

Another important feature of the legislation is the five-year exemption for new apartment buildings. The attempt in this section of the legislation is to eliminate some of the complexity that was in the previous legislation. Currently, if a new building opens up in this province, there is a rather elaborate exchange of paperwork to try to determine what the legal rent is. It is very complex and it is very discouraging to some people in the private sector. We believe that a five-year exemption will allow a new landlord who is building a new building to get to the break-even point and then to carry on from there, register the rents and be covered by the rent control legislation.

I want to make it very clear that at the end of five years there is absolute protection for tenants, their buildings are registered and they come under rent control. Before that, obviously the market will have some bearing on the rents that will be charged because the rest of the units in the province will be covered by the rent control system. But I do believe this will provide for some additional flexibility for the private sector and will result in new rental units that are desperately needed being built across the province. I think there is an honest attempt by this government to reach out and respond to some of the concerns that were expressed by the financial community when we were consulting on the permanent rent control legislation.

The administrative decision-making features of the legislation, I believe, are streamlined and will provide for quicker decisions to be made, which is in the interests of landlords and tenants across the province. There was clearly a concern, and rightfully so, about the time it took for the decisions to be made under the previous legislation.

We have tried to the best of our ability to come up with a system that is simpler and will result in quicker decisions.

It is clear that the number of cases should be decreased because the number of ways that you get to the rent control system are limited under the permanent legislation. I believe very strongly that it will result in a fairer system and a system that delivers a decision for landlords and tenants more quickly.

I look forward to the debate that will take place over the next number of hours and I look forward to the public hearings that we will have on this legislation. We have indicated right from the beginning that we will have public hearings in a standing committee of the Legislature and listen to landlords and tenants and municipal officials and people from the financial community to see what suggestions might be made to improve the legislation further.

I believe we have come up with a series of recommendations in the permanent legislation that will result in a fairer system and will deliver very clearly on the promise that this party made that tenants were going to receive protection against the kind of rent increases that were provided for under the previous system.

It is clear that under this system there will not be any 15%, 20% and 25% rent increases. There is not a provision for economic loss. Landlords will not be funded by tenants when they flip buildings because we believe very strongly that if a landlord is going to buy a building and if the current rents do not support the price he or she has paid for that, it should not be funded through increased rents, through a rent control system.

The economic loss provisions or financial loss provisions under the previous legislation were one of the most unfair aspects of the previous rent review legislation brought in by the previous government. I believe that we have come up with a system that will predict rents for tenants across the province—there is real predictability in the legislation—and will provide real protection for tenants. At the same time, it responds to the legitimate needs for capital reinvestment in the apartments across the province.

I do look forward to the debate, but I feel that the government has come up with a solution that is fair to all parties concerned. Any suggestions that are made by the Liberal caucus and the Conservative caucus to improve the legislation will be listened to by the government.

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Mr Elston: It is a relief to actually hear that the minister himself is going to join the debate that will be had at the public hearings to be held this summer. It has been the practice of that minister and several other of his colleagues not to be available at the public presentations, and it will be a relief on this occasion to the people who will be making their presentations in open forum to have the minister confirm that he actually will be there for all of the presentations.

I invite him to make that commitment to the people who are very much concerned about that particular possibility here this afternoon so everybody will know that he himself will be present and in the committee for the four weeks of public hearings that are to take place. He has

made very much of the fact that he is looking forward to these debates, looking forward very much to the consultation, looking forward very much in fact to people coming forward and providing some insight into his legislation.

The concern always comes across my mind when the minister stands and says, "We are looking for improvements to the minister's legislation," that what he really means is, "Don't tell me anything more that there is to be said about this particular issue, because this is the best we have done." He confirmed in his opening remarks on second reading this afternoon that he believes this is the best they could have done, but he is still looking forward to the improvements, he says, which might come from the hearings.

He can only decide if the improvements are real if he himself is available for all of the hearings, and I want him to take about two seconds this afternoon to confirm that he will be attending all of the hearings which will be held this summer on this bill.

Mr Tilson: During the Bill 4 hearings, there was an issue raised with respect to mobile homes. There was great concern around this province that mobile homes were included as part of the rent review system. They felt that under the special circumstances of the mobile home trailer parks they should be exempted. The minister during that time—and I can specifically recall one comment he made in Windsor—said there would be legislation forthcoming to deal with that subject of mobile homes. Now clearly it appears from a cursory view at least of Bill 121 that the whole subject of mobile homes is indeed still in this act and would appear to be subject to it.

As well there is a subject that was raised in Bill 51. As I understand it, hotel suites were exempted under subsection 4(2). This appears to be left out of Bill 121. I would like the minister to confirm at this time whether they are exempt.

Finally, in regard to the whole subject of when the rent control guidelines will take effect, it appears they must be published before 31 August of each preceding year. If this legislation is not passed until some time after that time, will the setting of the 1992 guidelines have an effect in that they will not have been published by 31 August?

Hon Mr Cooke: Very briefly, I would indicate to the Conservative critic that I think if he takes a careful look at the record, in Windsor I did not say there was going to be legislation on mobile home parks. I said an interministerial committee had been set up, actually, I believe, by the previous government, and we were expecting its report and would respond to the report. I would not want to prejudge any recommendations that were going to be made by an interministerial committee, so I think we should await that report, which I believe is coming later this summer or early fall. Let's wait for that report and take a look at what recommendations are made to see how we can best protect tenants in mobile home parks.

I would indicate to the House leader for the Liberal Party that I will be doing the best job I can to get to as many of the hearings as possible. I am not going to stand here and say I am going to be in committee four or five days a week for four weeks, because I know exactly what

would happen. I would be missing the opportunity to meet with municipal groups—because I am also Minister of Municipal Affairs—and I would start hearing criticisms from the Municipal Affairs critic for the Liberal Party, saying: "You are not available to meet with municipal politicians. You did not go to AMO." Well, that is simply not the case.

I have to meet with a whole range of people, but I am proud to say we have some incredibly capable people who served on the standing committee on general government for the government caucus, led by my parliamentary assistant, the member for Niagara Falls, who will be at every one of those hearings, listening and responding and working very closely with the ministry and the government to respond to legitimate recommendations made during the public hearing process.

Ms Poole: I am pleased to enter the debate as Housing critic for the Liberal caucus.

First of all, I am really pleased that the minister has said he will welcome suggestions, improvements and amendments to the bill. I think it very important that we try to work co-operatively on this most important of issues, and I do not think there are too many issues more contentious in the province of Ontario than rent review or rent control. It certainly has proved to be the case in the past, and I suspect it will be no different than with Bill 121.

When I first sat down to make a few notes for today, I thought I would run through some of the press clippings to see what the press had to say about this bill. The headline from the Toronto Star is "Jeers From Tenants, Landlords Greet NDP's New Rent Review Law." That appeared on day two. On day two also, from the Windsor Star, we have, "'Betrayed,' Landlords and Tenants Cry."

The next day, 8 June, a Peterborough Examiner headline reads, "Landlords, Tenants Angry with Rent Plan." From the Financial Post of 7 June, "Ontario Rent Rules Blasted." Now we go all the way to 9 June, "New Rent Rules Anger Landlords."

The Hamilton Spectator, even prior to the introduction of the legislation, headline says, "Landlords May Start Fight Against Rent Law—Can't Make a Living, They Say." So they were somewhat anticipating what might happen.

Toronto Sun, one of my, of course, all-time favourite papers, 9 June, "This Policy is Condemned"; Ottawa Citizen, 7 June, "Cooke Hands Landlords a Nettle"; Ottawa Citizen, 7 June, "You Betrayed Us, Tenants Tell NDP"; Hamilton Spectator, "How NDP Rent Controls Will Hurt All of Us" and finally the Hamilton Spectator of 7 June, "Tenants, Landlords Blast New Rent Bill."

With all those wonderful precedents before me, members could understand if I succumbed to the temptation as opposition Housing critic and entered the fray and the lineup to automatically oppose and villify this legislation. Quite frankly, I think this issue is too important to let passion and emotion and rhetoric hold sway. I think we have to take a very impassioned look at this legislation, a very rational, reasoned look at it, and decide whether it is good for the people of Ontario.

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When I looked at the goals that I think any rent review legislation should have, I came up with four off the top of my head. The first was that there should be rent stability for tenants. The second was that the legislation should preserve our aging housing stock; that is of utmost importance. Third was that landlords should be allowed a reasonable return on their investment. I hesitate to use that dreaded P word, "profit." I do not know; is that allowed in the Premier's Ontario any more? I better stay away from that one. The fourth goal is that the rent policy should not be complex. It should be simple. It should not be confusing. It should not be riddled with bureaucracy.

As the minister found out when trying to walk this tightrope of rent review, it is not easy to balance these competing demands. I would like to take a look at what the tenant groups represented in these press clippings objected to.

The first thing they said was that they felt betrayed that the NDP had not kept its campaign promise. Of course, my by now very well worn *An Agenda for People*, the NDP campaign document, said that New Democrats would bring in rent control. "That means one increase a year based on inflation. There would be no extra bonuses to landlords for capital or financing costs. It's simple, it's fair, and it avoids the bureaucracy which has frustrated both tenants and small landlords."

I think when members take a look at this legislation, it is quite clear that this legislation is not the campaign promise. But I am not going to criticize the minister for not keeping the campaign promise. I would criticize him for making that promise in the first place, because I very strongly believe as a member it is important for us to keep our promises. We should not make promises just to get votes. We should not make promises if we do not have all the facts. We should not make promises if we do not intend to honour them.

So I do not criticize him for not keeping the promise. I perhaps would levy the criticism that the promise should never have been made in the first place, because it is not feasible to keep to a guideline of inflation only and nothing else. We could try that, but I would predict we would have bankruptcies, we would have deteriorating housing stock, and it would ultimately not be to the benefit of either the tenants or the landlords in this province.

The second thing the tenant advocates and the tenant leadership complained about, the second point they raised—and I make a very important distinction there; I am not saying all tenants feel this way—was this is not rent control; this is rent review.

It is actually quite an astute comment that they have made, because this is rent review. I personally am not opposed to that. I think many good things came from our previous rent review system, and many of the tenant protections that were contained in the Residential Rent Regulation Act that the Liberals brought in a number of years ago are still contained in this legislation. Rent increases are still allowed only once a year. Above-guideline amounts still require government approvals. The rent registry is continued; in fact, it is expanded and the landlord must file

the maximum rent. Notice must be given to tenants or there will be no rent increase. If there is no notice given as required by the law, new tenants will not have to face a rent increase for two years. Finally, key money is continued and enhanced. Those are all things in the old rent review system that are continued in this rent review system. I think those are all very good things for tenants.

The third complaint that tenants had about this legislation is that it does not contain a reserve fund. This was by far, I think, the preference of many tenants across the province, but quite frankly, I sympathize with the minister. Once upon a time, back in the 1985 election, the first time that I ran, when I was somewhat younger and more naïve than I am today, I said in an interview that I thought it would be a really neat idea if we had a reserve fund for rental buildings set up, the way they did for condominiums. I was not too sure of how it would work, but I thought we should explore it.

Having a lot more experience in the field today, I see a number of major problems with the reserve fund concept. For one thing, the majority of our buildings in this province are very old. A reserve fund that you start up when a building is 20, 30 or 40 years old has no opportunity to provide for the catch-up. It is different for condominiums, where on day one they have their reserve fund for new buildings and they can build up over the years. We do not have that luxury for older buildings.

Another point is that the system right now simply does not even allow for reserve funds. We would need a change to federal legislation in order to allow that.

The fourth complaint I have heard tenants voice is that this legislation will guarantee an automatic 8% increase every year. Again, on the surface of it, this is perhaps a valid point. One could see this happening. I do not think it will happen because unless the provisions for the capital repairs are reasonable and suitable, we will find landlords will not be going to rent review at all. They will simply boycott the system. That is something we will have to work on.

Those were the major tenant objections. Then I looked at objections from the other side to see what landlords were saying.

Hon Mr Pouliot: Your friends.

Ms Poole: First of all, they said it was even more restrictive than the RRRA—and I would suggest to the Minister of Mines that he might want the co-operation of the Housing critic for the opposition, so perhaps he should be very kind to me. It may not do any good, but I would just suggest that as a starting point.

Second, the landlords have a—

Hon Mr Pouliot: On a point of order, Mr Speaker: Just briefly, I think it is important, because the ministry that I represent—I have a great deal of difficulty resisting when a certain member takes leniency with the truth—

The Deputy Speaker: Order, please. I do not accept that type of wording in this House. Would you please withdraw it.

Hon Mr Pouliot: "Leniency" is a degree, sir. If I may draw your attention to Webster or Oxford, which will give you an opportunity to Oxfordize or Websterize, sir.

The Deputy Speaker: Please take your seat.

Hon Mr Pouliot: There is nothing wrong with "leniency."

The Deputy Speaker: I have asked you to withdraw. I am just asking it of you.

Hon Mr Cooke: Let's not get carried away.

The Deputy Speaker: You said that the member was not speaking the truth. That is what you said.

Hon Mr Cooke: No, he didn't.

The Deputy Speaker: This is what I heard.

Hon Mr Pouliot: With respect, sir, I did not say that, sir. With respect—no, no, let's be civil, sir. I did not say that, sir.

The Deputy Speaker: Order, please. You are an honourable member. I want you to tell me what you have said, then, if I did not hear properly.

Hon Mr Pouliot: Hansard will attest to the following—and thank you for your tolerance, your patience, which will begin to border on the proverbial—I mentioned, sir, verbatim, that the member was taking "leniency with the truth"; ie, synonym, "shying away from the truth."

The Deputy Speaker: Thank you. I accept your word.

Ms Poole: I am not quite sure what that was all about, but if I could continue, I was going over the objections that landlords would have to this legislation.

The second objection is that the cap is inadequate, that all buildings are treated identically, regardless of age, regardless of the financial circumstances. Landlords said, quite frankly, that there is not much of an incentive to put major money into buildings when they are only getting 60 cents back on the dollar for anything they put in.

The third objection landlords have put forward is that the provisions in this legislation for non-compliance of work orders are far too dramatic and far too drastic. They say it is an avenue for every tenant who has a petty grievance to eliminate rent increases. To this end, they say that "neglect" and "adequate maintenance" are not defined in the act. I think that is something we will have to take a look at, because I think that complaint is quite valid. If we are going to have rent penalties for things such as "neglect" and "inadequate maintenance," surely we are not going to leave it to the bureaucrats to define those two very important terms. I would suggest that definitions for them should be included in the glossary at the front.

Both landlords and tenants have said that the new legislation is too complex, that the double guideline is confusing, that it will mean increased bureaucracy, and they have raised objections to the fact that there is no appeal. They have also both stated, for different reasons I believe, that they believe non-profit homes—

Mr Mammoliti: Who has stated?

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Ms Poole: They: I said landlords and tenants, the tenant leadership and the landlord leadership have both said—the member can find quotes in these newspaper articles if he would care to take the time to look—on numerous occasions that they feel non-profit housing should be included in the rent review process. Those are the major objections that have been filed with this legislation, but I believe this bill can be salvaged because there are a number of very positive things about the bill.

From the tenants' perspective, I think many tenants feel that some of the most contentious issues such as financial loss have been removed. Second, I think tenants are most relieved that there will be cost pass-through only for necessary repairs. I think there has been very little disagreement with the list that is in the legislation for necessary repairs. In fact, much of it is similar to an amendment the Liberal caucus filed on Bill 4 with regard to necessary repairs. "A capital expenditure is eligible"—that is, is considered to be a necessary repair—"if it is necessary to protect or restore the physical integrity of the residential complex or a rental unit in it," or, "it is necessary to comply with municipal or provincial standards to protect the health or safety of persons or to protect the environment."

Mr Mammoliti: That was Bill 4. You are talking about amendments to Bill 4. Relate it to this.

Ms Poole: This is Bill 121. For the information of the member for Yorkview, I am quoting from Bill 121, which is the bill before us. These are amendments that are in this bill, amendments which I heartily approve of, and I would think as a member of the NDP caucus he should approve of them as well, so I find it strange that he seems to be finding objections with it.

The third one is that "it is necessary to maintain the provision of a plumbing, heating, mechanical, electrical, ventilation or air-conditioning system." Fourth is that "it provides access for persons with disabilities." Fifth is that "it increases energy conservation," and then it goes on to talk about some of the other requirements for eligibility.

I do not think there should be anybody in the House who has objections to those qualifications for necessary repairs. I think that is a very positive part of the act. The second thing I consider to be a very positive part of this bill is that there has been provision made for capital work for our aging housing stock. That is very important. I know it may not be the NDP campaign promise, but I think it is very important they realize that these types of repairs are crucial to our aging housing stock. We cannot preserve it unless capital repairs are made. Money has to be put into the buildings.

There were some quotes I had given the House some time earlier about the state of our aging housing stock, but I think it bears repeating because it is very important: 80% of our housing stock was built prior to 1976, so 80% is 16 years old or older; 62% was built prior to 1970; 36% was built prior to 1960 so we are now getting to over 30 years old; and then almost 10% was built pre-1920.

When you look at those statistics, it is obviously important that this work be done. I am not talking about

repairs caused by neglect; I am talking about major capital repairs that need doing because the housing stock is aging, because the cement has corroded, the electrical system has failed, water has penetrated the caulking and the roofing, balconies have disintegrated, because our underground parking garages have fallen victim to corrosion, elevators have worn out and plumbing needs to be replaced. It is very important we now have the protection that this work will be done under Bill 121.

Much of the debate, I would suspect, under Bill 121 will focus on, what should the cap be? The minister has said he wants to accept amendments and improvements and suggestions, so I am very glad to hear that because I think this debate is crucial. If the cap is too high, tenants will not be protected, but on the other hand if the cap is too low, I would say to the minister, tenants will not receive that protection. The reason is that tenants want a decent place to live. They want to have a well-maintained home, and if the landlords do not put money into capital repairs, they are not going to achieve that goal. So I think from both perspectives, it is very important that we make sure the cap that is selected is the right one.

The third thing I am pleased to see in this bill is the provisions for maintenance. The minister knows I have been very concerned about maintenance for many years and that it was one of the shortcomings I found with Bill 4, that there was no provision to assist with maintenance.

I have a quote here from the president of the Federation of London Tenants Association, Leo Bouillon. Mr Bouillon said: "If there is one thing tenants complain more about than rent, it is building maintenance. Everybody wants a decent place to live." That is very true.

When I looked at the provisions here, they did cause me some concern. While I agree with the intent with non-compliance of work orders, I am quite concerned with the way it has been put forward in this act. The Liberal caucus put forward amendments under Bill 4 which mirrored quite closely what is in this act. We had two changes that were not mirrored here.

The first was that we felt only substantive non-compliance should be considered. If a landlord did not change a lightbulb, we did not think that was cause for a rent penalty, saying that every unit in the building was subjected to not having a guideline increase. We wanted it to take care of the really substantive problems.

The second thing was that when we put forward our amendment, and we did it after a number of talks with the Residential Rental Standards Board and with building inspectors, it was that the landlord be given 30 days to make reasonable attempts to comply, because quite frankly the government cannot treat lightbulbs in the same way as an underground parking garage.

There are many things that can happen that are what I would call extenuating circumstances that would result in a work order being put on a building. For instance, a work order could be put on in December for exterior wall work, yet the landlord cannot do it until the weather changes in May. That type of thing would result, I think, in inequity, and that is what the government wants to avoid, the inequities.

That is why I think what it should say is the landlord should make reasonable attempts to comply within the 30 days. That means in the case of the exterior wall work that the landlord would obviously have to get quotes, perhaps sign the contract, be ready to go as soon as the weather changed.

Another example is an underground parking garage, which can take extensive periods of time, particularly with the cap suggested under Bill 121. Under Bill 121, with a 3% cap and even considering the 2% that is included from the guideline for capital, there simply would not be enough money to do that underground parking garage in that first year, possibly not even in that second year, depending on how widespread the work needed to be done.

There are underground parking garages that cost \$1 million or \$1.5 million to repair. That kind of thing cannot be done overnight. What is a landlord to do if he or she gets a notice from the rent control directors saying, "You have 30 days to comply"? I think events like that show this needs some reworking. The intent is good, but in its present form I think it would have a very negative effect.

My fear is that if it is too inflexible, the inspectors will not issue work orders. It will be that simple. If a building inspector knows that the landlord, if he issues a work order, will only be given 30 days to comply and if he does not think that is fair or right, then he may not issue the work order, and that is the last thing the government wants to happen.

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The fourth thing I like about this bill is that it does—when I use the word "like" I use it advisedly. As members can tell, although there are things that on the surface are very good, there are flaws in the bill that have to be corrected. The fourth thing is rent stability, very important to tenants. That is something that a cap, whatever number it is, will provide, certainty that their rent is not going to go up by an overwhelming amount in a single year.

The fifth thing is that there has been some streamlining of the legislation and of the process. The forms in particular that have been developed by the Ministry of Housing are quite good, much easier to read, much more simple and straightforward.

The process itself, I guess you could say, would be simpler in the fact that many of the contentious sections have been taken out. I was saying to my staff the other day that anything the NDP did not understand or could not comprehend it just took out of the act, and that took care of that.

By the same token, while there has been some streamlining, on the other hand I think there has been a lot of additional confusion built into the act by the fact that we now have two different processes, a double guideline and I think an increase in the bureaucracy. I myself had a lot of difficulty, for instance, with removing and eliminating the standards board, which I think was one of the excellent things about the previous legislation. Any time you put more power in the hands of the bureaucrats, it makes me very nervous. To abolish the standards board and now put the whole issue of maintenance and non-compliance directly

into the rent review system I think is going to end up with more bureaucracy.

One issue that has to be dealt with when we go into committee—I think I as a member certainly and perhaps even the minister would like some guidance in this regard—is the fact that there is no longer an appeal unless it is to the Divisional Court on a matter of law only. There is only going to be one level. Either the person can choose an administrative tribunal or a hearing, but there is only one level, without that avenue of appeal. I think this is a victory for the bureaucrats.

I do not know if members would realize this, but back when they were formulating the Residential Rent Regulation Act, the bureaucrats came to the Liberal government and said: “We have a really neat idea for you to streamline the process. We’d like you to have just an administrative review and to have no appeal, to only have the one level but no appeal.” Our government rejected that, because we did not think that was one of the tenets of democracy, to deny that type of appeal.

I have a number of other concerns about it that are perhaps a little more on pragmatic lines. For instance, if you have a choice between administrative process or a hearing, I can assure members that by and large most people are going to choose the hearing. It is going to be much more lengthy, much more time-consuming, much more confrontational. Just think of it. This is going to be your one shot at it. If you blow this, you are out of the ballpark, because the only appeal you have is to the Divisional Court, and that is only on a matter of law. If it is a matter of fact, that does not count; only a matter of law. That is a fairly strong onus on having the hearing determine what is going to happen.

The other concern I have with the fact that the Ministry of Housing is now going to be the sole determinant of what happens, without an appeal process, without a quasi-judicial, arm’s-length body to have any opportunity to rehear the case, is that the Ministry of Housing sets policy, and now we are going to have it administer the same laws it effects. What is going to be the effect on the Ministry of Housing bureaucrats if they think politically that the minister’s office wants a certain thing? Their interpretation will no longer be at arm’s length and take into it any kind of independence, but would lean towards whatever the politics of the moment dictate.

I do not think that is going to be good for tenants and I do not think it is going to be good for landlords. I do not think it is going to be good for the process. I think there is somewhat of a conflict of interest in having Ministry of Housing bureaucrats decide everything.

The other question I have about the whole process concerns the pre-hearings, how they would work, whether they would be binding. Why bother going through the process if, after the work is done and the landlord comes back, it can all be second-guessed? I would like some sense of certainty as to how that will happen, because I think certainty is very important to the process.

The other thing I noted is that it said the rent officer will make findings, but it did not mention that he or she would give written reasons. That again is an important part

of the process. Would anyone like to go through a hearing and then just be told at the end that he had lost or won but not given written reasons as to why this determination was made? I think the least the people of this province should be entitled to is something that gives them some assurance as to why the decision was made. I think that is a protection.

One thing we may want to take a look at is whether the scope for appeals to Divisional Court should be larger, for instance, whether in addition to appeals of law, you can also have appeals based on fact. That is one thing. I do not know the answer, but it certainly is something people are talking about, and they are wondering how this is going to affect them, having just one level, no right to go beyond that, unless it is a very small avenue of appeal based only on law and precedent.

I just have a couple of other comments before I wind up. One is on the scope of rent review. I will call it rent review because indeed that is what it is in this bill. The minister has excluded new buildings for five years. While I think the intent was good and it was a positive step forward to try to get the building industry on its feet again and to get more accommodation built, I am not sure it is going to do the trick. The industry is still feeling very vulnerable after Bill 4, and I am not sure the trust and goodwill towards government is there to make this a meaningful exemption.

There are several other things the minister might have considered. For instance, there are some areas in the province where the vacancy rate is quite high and there really is not a problem. They have hundreds and thousands of vacant units. The market is determining what the rent should be. The rents are quite low and reasonable. If tenants want to move, they find they can move quite readily because of the high vacancy rates. Maybe a consideration should be to exclude those types of areas from rent review. I think it would cut down on the bureaucracy, and it would be a blow to the myth that everybody in Ontario is the same.

Rent problems are basically focused in the major urban areas—Metropolitan Toronto, Ottawa, Hamilton, London and Windsor. You do not have the same type of problem in Cornwall or in Sudbury or in some of the smaller towns in southwestern Ontario, so why is the minister trying to make everybody fit the one shoe? I hope the minister will take a look at that.

I saw a few problems when I was reading through the legislation. For instance, I noticed that if there is a decrease in municipal taxes, there is a provision to pass this on to the tenants. I certainly welcome that, particularly in areas like Metro, where we are now unfortunately undergoing market value reassessment. While there are tenants in the suburbs, particularly in Scarborough and outlying areas, who are going to very much benefit from market value reassessment and get reductions in their rent, at the same time, in Toronto, North York and other parts of Metro there is going to be a devastating increase. We are not talking about an increase that can be settled with a 3% cap; we are talking massive increases.

Tenants already pay around 25% of their rent to municipal taxes. I do not think most tenants know this. If the minister puts on top of that the fact that there may be very

dramatic increases in municipal taxes and yet makes no provision for it, in a time of crisis we may well find that we have to go back and amend the act. That is something I hope the minister and his staff can take a look at.

The other matter relates to conservation. I was very pleased to see that when the minister was talking about necessary repairs, he put in a provision about conservation. That is very important—protecting the environment, conserving energy and other matters—but there is a flaw in this legislation in that a landlord can go to rent review to get reimbursed for costs that he or she has put forward for environmental consideration, such as if the landlord put in all new windows and major changes to the building; however, if the landlord then has a decrease in the heating costs, the tenant can go ask for a decrease in rent because the heating costs are extraordinarily low. This sounds fine on the surface, except I think one will find in many cases that the landlord will not be able to recoup his or her costs through the cap if the cap is too low, which means the landlord will be penalized by the fact that he cannot get his costs recouped, and then the knockout blow will be that the rents are reduced further because of the fact that there is a provision in the act for these types of decreases.

1650

While I think it is a very positive thing that the minister has provided for the decreases as well as the increases, that is an area where there could be some problem, and I think if we really want the conservation area to be explored and enhanced, we want to make sure landlords are doing those things, and in doing so, we have to make sure the cap is adequate.

To sum up, I see a number of very positive things about the legislation; I also see a number of flaws. I am not convinced at this time that the cap is adequate, particularly when we are talking very major work that needs to be done such as underground parking garage rehabilitations. I am concerned that if the cap is inadequate, if the landlord is getting back only 60 cents on the dollar, he will not do the work, and that is the last thing we want.

I am concerned, as I say, about the non-compliance with work orders but I think they can be remedied, and if the minister is truly interested in taking suggestions, I think we can certainly work together to make sure there is something that protects tenants and makes sure they get adequate maintenance and, at the same time, makes sure the system works and is not too draconian.

During the hearings I hope to hear from tenants and from landlords and from other people in the housing industry about what they think about the fact that there is no longer an appeal, whether this is important to them. The grass-roots information I have to date has told me that it is an item of concern, so I would like to explore that and find out what people across the province think of that.

I would also like to take a look at whether we are going to end up with an increase in the bureaucracy through this. I tend to believe we will. I have looked at a number of things in the act that are going to increase the bureaucracy, yet I have seen very little that is going to decrease it, and I do not think that is where we should be spending our

money, in increasing the bureaucracy. There may be ways we can streamline that.

In closing, Catherine Thompson in the *Kitchener-Waterloo Record* on 8 June—the title of it is “Tenants Gain From Rent Control Bill Despite Its Flaws”—says: “Tenant groups cried betrayal while landlords snorted incredulously as they learned they would have to pay all capital costs, including replacing \$500,000 crumbling underground garages, with the 3% increase. But despite the rhetoric from tenant groups, there is no question renters will benefit from this bill. No longer will they have to fear increases of 30%, 40%, 50% or 100%. This bill also gives tenants greater assurances their homes will be reasonably maintained.

“The bill hits negligent landlords in the pocketbook. Any landlord who has ignored city or provincial orders to do basic repairs on his property won’t be allowed to charge tenants even a basic increase.

“But the bill is flawed in several key areas. By allowing a small increase for repairs, Cooke claims he has recognized landlords’ legitimate capital costs, but for someone like Kitchener landlord Robert Eby, whose 18-unit building needs a new \$20,000 roof, a one-time 3% increase just won’t do. Landlords everywhere may decide, like Eby, to do whatever work 3% will buy, and tenants will simply have to wait longer for repairs.

“Secondly, the old rent review system was condemned for complexity that baffled and scared off tenants and small landlords, but the new bill adds complications to replace the old, creating three separate categories of buildings, to which different types of increases apply. It cuts down the appeals process, but some tenant advocates say that just means tenants will have fewer chances to make a clear case at the Rent Control Board.”

I think Catherine Thompson has quite well summed up some of the very positive things about the bill but also some of the things we want to work to ensure are remedied when we finally get to the hearings.

In conclusion, I would like to congratulate the minister, not for not keeping promises he should never have made, but for taking a second look at it and making, I think, some worthwhile changes. At the same time, I truly hope he means what he said about trying to work co-operatively together with the Conservative and the Liberal caucuses to try to make some meaningful changes to this bill. It is a good start, but I think there is a long way we yet have to go, so I look forward to a very productive summer. I hope that when we come back in the fall we can have a bill that all three parties in this House can support. Thank you.

Mr Mammoliti: It is always a pleasure to hear the member for Eglinton talk, and I want to thank her for her comments. I am just a little curious about a couple of things, but before I get on to that, I want to say that during the election, we New Democrats prided ourselves on our ability to listen and communicate and consult. I think in this case the minister should be proud of himself and the committee should be proud of itself, because that is exactly what we did. This bill just proves it. We have changed a number of things, and that is because we consulted, we talked, we communicated, and that is what we are proud of.

The two things I am concerned about are questions actually. The first one is, the member for Eglinton talked about the five-year clause for new buildings. I am a little curious why a builder would not take advantage of the five-year clause. It is an incentive. We talked about it during committee, where people came in and said, "Give us the opportunity to build. Let us do that. Stimulate the economy," and we have done that. I cannot understand why builders would not take advantage of it. Perhaps she can clarify that for me. I am not sure whether she knows whether the builders would or not, I do not know. I think it is just something she said here today.

Second, the cap: I am still not clear whether or not she is in favour of the cap in the legislation. I ask the member to forgive me if I am naïve and to forgive me if I did not hear. I did walk out halfway through her speech, not because it was not any good, but because I had something to do. I would like verification as to whether she agrees with the cap.

Hon Mr Cooke: Very briefly, I want to thank the Liberal critic for her very positive comments, although I do remember, when we were debating Bill 4 on second reading, that there were some positive comments as well, and I think there was an actual registration of support of Bill 4 on second reading too, so I would not want to go too far beyond today in predicting where the Liberal Party might stand in the end.

I want the critic for the Liberal Party to understand that we will be looking in the committee to her more detailed comments, and on section-by-section, and we will try to respond where we can, but I want to make it very clear, in case I did not in my leadoff comments, that there are some principles in this legislation that we will want to stick to, that are not up for grabs, and those principles involve tenant protection, which is the whole reason for going through this exercise. I hope the whole thrust of the Liberal critic's speech was one of co-operation, and I agree, co-operation is going to be essential, but the government is not going to compromise on the principles of this legislation of real tenant protection which were so lacking in the previous rent regulation legislation in the province. It simply did not provide that. I also heard the wish of the Liberal critic that in the end all three parties would be able to support the legislation. I have not heard the comments from the Conservative critic yet, but I suggest strongly that is really wishful thinking. We know the position of the Conservative Party traditionally has been not to support tenant protection and to leave tenants to fend for themselves.

1700

Ms Poole: First I would like to answer a few of the questions of the member for Yorkview. I thank him for his very kind comments. I look forward to being on committee with him again.

Interjection.

Ms Poole: I am. That was the nicest I can get. First of all, he said the reason there were changes here and the government did not keep its campaign promise was that it communicated, listened and consulted. Generally speaking, formulating a policy for one's party one is supposed to

listen, communicate and consult. I think it should have been done prior to the making of the promise. I will just leave that with the member.

The member asked why builders would not build with the five-year exemption. As I said in my comments, it comes down to a matter of trust. Are the builders going to build when they know there is a possibility that after Bill 4, three or four years down the line, something can be changed retroactively? I tell the member that is something a number of builders have said to me, so it is not something I am manufacturing.

The member has asked whether I am in favour of the cap. Yes, I am in favour of the cap. I am concerned that 3% may not be enough to make sure that our aging housing stock is taken care of. I think that is quite important. When the minister talked about the principle of tenant protection, which was not up for grabs, I agree with him. I guess we might differ in the definition of tenant protection. I do not think keeping the rents low but at the same time ensuring that money will not be put into the buildings so that the tenants end up living in slums is tenant protection. I think several of the parties can try to work together to make sure tenants are protected and that we have true stability in our housing industry at the same time. I hope we can work together.

Mr Tilson: There has been some suggestion made by the member for Eglinton that all three parties would be supporting this bill. I think our party gave some sort of hint when we voted against the introduction of this bill for first reading, which is rather unheard of. I can tell members that we will be fighting the whole philosophy this government has been putting forward with respect to rent review. It has not worked in any other country on this planet and it is certainly not going to work in Ontario. Evidence has been given over and over of how it has failed, and I do not think the government has properly studied the whole subject of rent review from the various jurisdictions. Whether you are talking about jurisdictions in the United States or Europe, it simply has not worked. I will be speaking to that in a few moments.

Certainly one of the main planks of the New Democratic government from the outset has been housing. It has been quite clear that we have a housing crisis in Ontario, and of course the government did move fairly quickly with the introduction of Bill 4 and we have seen the devastating effects it has had on the housing industry. We were promised at that time that there would be a moratorium and that the permanent bill would clear up all of the uncertainties created by Bill 4. We have now seen the introduction of Bill 121, and quite frankly I have not seen much improvement from the issues that have been raised from the public hearings going around the province with respect to Bill 4.

Many of the problems that were raised by the tenants and landlords during the Bill 4 hearings I am certain will be raised again both by tenants and landlords. Hearing from the various tenant and landlord groups, it has been quite clear no one likes this legislation. I am simply amazed that the member for Eglinton is even hinting she might support this legislation. The Liberals, of course, voted in favour of Bill 4 on second reading and subsequently voted

against it on third reading, and they voted in favour of it with the introduction of Bill 121 on first reading. I think ours has been the only party that has been consistent in opposing the principle of rent review and all the bureaucracy it contains.

I take exception to the Minister of Housing saying we are not interested in the interests of tenants. We are interested in the problems of the tenants. We are interested in how their quality of life is deteriorating. Statements have been given during the hearings of the great need to rejuvenate many of the older buildings in this province, and I submit that Bill 121 does not address those problems.

The whole issue that has been mentioned by the member for Yorkview and the minister has talked about how there has been much consultation that has gone on in this province with respect to leading up to Bill 121. I cannot agree with that. The consultation has been negligible. I think it has been a tremendous sales job. A great expense has gone into putting forward the green paper and into sending the various government members around the province. Members will recall that this House indicated as the terms of reference that the committee that was to review Bill 4 was also to review the green paper, the consultation paper the minister has spoken about so often. The committee never dealt with that. We attempted to deal with that and it was just put away in its place.

The member for Wentworth North, the member for Niagara Falls and the Minister of Housing went to various sites in this province and conducted so-called hearings. Our party was invited, the member for Eglinton and I were invited but we were not allowed to speak, a most remarkable situation. We were invited to go to these hearings, but we were not allowed to speak. That was made quite clear to us. The member for Oriole attended one of the hearings and I do not think she was even allowed to go in. Finally that was clarified and she was allowed to go in. The difficulty was that it was not exactly the consultations we all hear of in trying to develop legislation.

Bill 121 does not deal with many of the problems that were raised in the Bill 4 hearings. As a result of Bill 4, which was indicated to be temporary legislation, the whole issue of rejuvenation of buildings, the capital improvements, was postponed. Landlord after landlord would come to us at the Bill 4 hearings and tell us their projects were going to be postponed. Hence, thousands of jobs were lost. Evidence was given to us at the hearings that contracts were being cancelled by landlords who had relied on the previous system or the previous government and who were now cancelling plans they had undertaken for the future. Suppliers lost a substantial amount of income as a result of these same contracts being cancelled.

Bankruptcies had been promised at the Bill 4 hearings. Small landlords in particular, just average people with a very small number of units, indicated that as a result of the retroactivity, the lack of planning for capital expenditures and their not being able to proceed with capital expenditures, they would be going bankrupt. At least one has been referred to in this House and I think the minister spoke on Radio Noon with one of the individuals who has gone bankrupt. That individual, who was trained to be a carpenter,

as I understand—I believe it is in the Peterborough area—has now said he cannot be a carpenter any more because of the lack of work. He is going into yet another field to be trained.

1710

It is the domino effect. One leads to another: lack of job; lack of contract. I suspect the government will blame a lot of this on the recession, but I think if it studied the issues before it and the overall effect of Bill 4, the whole lack of confidence of the financial institutions in investing new housing stock, the government will realize that Bill 121 has not dealt with all of those issues adequately. I will be getting into that.

The minister has indicated that Bill 121 does deal with capital expenditures and I will be providing my comments with that in a few moments. The whole housing testimony has been given; letters have been sent to many members in this House, to the Minister of Housing and certainly the two critics, on how the housing stock is falling apart and that a moratorium legislation and the Bill 121 legislation are not going to stop that.

More important, there is the whole issue that antagonism has been created by this government between landlords and tenants. It is an adversarial system where before the escalation of rent review, the increasing of rent review, antagonism did not exist nearly to the extent it is occurring today. We saw it in the Bill 4 hearings. People were mad, landlords were mad, tenants were mad and everybody was mad. Rent review is not going to work and it is creating an adversarial system. I think this leads to a number of things. We have seen it occurring in New York and I will be referring to that shortly as well.

I would like to refer very briefly to the promises this government has made and specifically the pre-election Agenda for People. It has been referred to but more important, I think we must emphasize what this government has promised and what in fact it is producing, just to show that I believe there is a whole lack of confidence by investors, landlords, workers who are counting on jobs out of this industry, by the suppliers, by the concrete people and by everyone who is remotely connected to maintaining the housing stock. They have lost confidence in this government because the Agenda for People stated that the New Democrats would bring in rent controls. That means one increase a year based on inflation. There would be no extra bonuses to landlords for capital financing costs. It is simple, it is fair and it avoids bureaucracy, which has frustrated both landlords and tenants.

That was the simple statement. I think if you study that statement, there is no way in a million years this government is going to be able to honour that promise. I think they found that and the minister has even made acknowledgements before the press that the government is not really going to be able to follow to a "T" the Agenda for People. Why make the promise in the first place? Why not think out what the government is going to do before it makes that promise? This statement has indeed proven to be simplistic and it has proven to be naïve prattle. That is the simplest way of describing this statement from the Agenda for People.

The minister has not brought in rent controls as he has promised. He has expanded the existing system of Bill 121. He has expanded rent review with all of its bureaucracy, confusion, uncertainty and lack of confidence of everyone who is involved.

Second, Bill 4 has now created two increases instead of the one increase the government has promised. One is for necessities and the other is for capital expenditures. Bill 121 has a complicated set of increases that exceed inflation. If you look at the rate of inflation and at what can be allowed, clearly that promise has been shattered. Tenants' associations that have indicated they relied on this government voted for this government, and it is not honouring its promises. There is no way you can get around that; the government has not kept its promise. The tenants' associations are just furious with the government and for voting it in and counting on it to honour its promise to them.

There are some allowances for capital costs and, as I have indicated, even the minister has realized there is no provision for such things as financing costs, and I will be speaking about that shortly. In other words, we all know that mortgages fall due, whether in one year, two years or five years; that interest rates go up and down like a yo-yo in many cases and have for the past number of years. Landlords, of course, need to account for that.

This government has not allowed for it. Mortgages are going to be continually falling due and yet it is out of the landlords' hands. They simply must take those increases from financing out of their so-called profits the minister has spoken of. Again, I can assure members that if they look at this legislation very carefully there is no room for profit.

There is no reason why anyone in this province should get into the landlord business. If any of us in this chamber or in Ontario decided to invest and obtain a small building or a large building, it is a terrible investment. There is no room for profit with Bill 121, and the whole suggestion that new buildings will not be subject to rent increases is a hollow promise for new structures.

Landlords will not get into that. In many cases it takes them five years to put the whole package together, then after five years they are back into rent controls. So, again, why would anyone get into the housing business? That is the important question people should ask themselves if we are trying to increase the housing stock in this province.

Certainly it is not simple. The Agenda for People has indicated that the proposal of rent control is simple. No one can figure it out. If members start listening to the calculations suggested by the minister—and we have not really sat down; I am really looking forward to the committee hearings to have explained to us how we are going to calculate these things. It is far from simple. You will need to be an accountant, a lawyer, or a consultant; you will need to be a whole slew of things to understand what is going on.

I asked the minister, I guess last week, to define the whole subject of neglect that has been mentioned. There is a whole slew of very vague words and terminology used throughout the legislation. The minister was silent on that, so I assume he has no definition of "neglect." I expect he

will say: "That will come later in the regulations. We'll have to pass the act first and then we'll tell you what 'neglect' means." My guess is that the ministry has not even the slightest idea what the word "neglect" means and that will make it very difficult to adequately debate that subject.

Interjections.

Mr Tilson: It is not fair. The Agenda for People says the government is going to put forward fair legislation. No one likes it. Have we heard any groups, other than the members of the government, who like this legislation? Tenants' associations do not like it, landlords' associations do not like it.

They are only going to start to hear from the people who are losing jobs. Wait until they start saying: "We had a moratorium period during the Bill 4 hearings. Jobs have been postponed." They are going to say: "No more capital expenditures. We are not going to do any more."

People losing jobs, who are normally in the supplier business, contract business, concrete business, all of the businesses related with maintaining housing stock are very upset, and if it has not hit the government yet, it will. They will find some very irate members of this province who are going to come to the Bill 121 hearings to discuss this with them.

Bureaucracy is rampant. To suggest the bureaucracy is going to be down as a result of Bill 121 is simply preposterous. I would like to make a bet with the minister—I do not know how much, perhaps a loonie would be appropriate—as to the number of bureaucrats we—

Hon Mr Cooke: You are the one who suggested it.

Mr Tilson: I will suggest I make that honest bet with him and after a year's time we will count the bureaucrats we have now in the whole rent review system as opposed to what we are going to have a year from now, and we will see who has the higher number. My guess is we will be simply shocked at the increase in bureaucrats in the next year.

Interjections.

Mr Tilson: It is not simple. We now have two systems of rent review. We have a rent review system for small landlords and a rent review system for large landlords. It seems to be a more complicated system than we have been accustomed to, which we have not liked.

1720

The whole issue of rent review should be thought out. I do not think the minister has thought it out; I do not think he has looked at all the jurisdictions around this country, around North America and Europe, that have tried rent review and say it is simply not working.

One of the issues raised during the Bill 4 hearings was the whole philosophy of this government to make the housing industry a public utility. That has been made quite clear. Questions have been asked both of the minister and the Premier, specifically the question of the interview of Michael Melling. I know the NDP members do not like to hear this, but I am going to refer to some of these clauses again because the minister has yet to stand up—as the Premier has not yet stood up—and deny that what has

been said in this interview is not their grand plan, the big picture they have for the housing industry in this province. I am going to read those again, and if the minister has an opportunity to stand up and deny it then I hope he does, because it will certainly clarify things. We have asked him several times in the House, we have asked him in the hearings, yet he will not deny this is the plan.

Hon Mr Cooke: That is not true.

Mr Tilson: He says it is not true. Let him put on the record that what the Premier said, or the then Leader of the Opposition said, in an interview with Mr Melling back in 1989. I am going to read this. I know this has been put into Hansard, but I am going to read portions of it again because I think it is quite crucial to realize where this government is going with respect to Bill 121. The puzzle is starting to fill in and the grand picture the then Leader of the Opposition described is becoming clearer.

Mr Melling indicated: "Your party has certainly been appropriately critical of the government's failures with respect to rent review, but I guess what a lot of people would be interested in is the solution. Where do you see rent review going?"

The member for York South said:

"The whole premise behind rent review and rental increases is the structure of ownership. You can't talk about rent review till you talk about the structure of ownership, and that to me is what needs to change in the rental housing field. As long as large corporations own land and own apartments, and there's a speculative element in that ownership and sale of those apartments, we will have profound problems with the size of rents and the cost of rents, and increase in rents in Ontario.

"The key, I believe, is to do more to create larger pools of non-profit housing. The way the market is structured now and the current system of rent review plays to this, it encourages speculation, it encourages flipping, it encourages transfer from one numbered company to another because of the rules on financing, because of the way that financing costs can be passed along. I don't think we're gonna solve the rent crisis until we deal with the ownership problem and the flipping problem. You want to provide encouragement for a non-profit model of ownership."

There it was. That is how it started in 1989 and we are now hearing ministers' statements as to where we are going with non-profit housing. Certainly our party supports non-profit housing, but not the entire industry. There is no private sector investment in housing stock in this province, it is all government ownership. I think that is the grandiose plan.

Mr Melling went on, "How do you get the current private rental stock out of the hands of the larger owners and into the hands of non-profit organizations or even into the hands of tenants themselves?"

This is what the now Premier stated: "You make it less profitable for people to own it. I would bring in a very rigid, tough system of rent review. Simple. Eliminate the exceptions and loopholes. There will be a huge squawk from the speculative community and you say to them, 'If you're unhappy, we'll buy you out.'"

Is that not astounding? He is saying the entire housing industry is going to be government run. "We're going to buy you out. We're going to get rid of private enterprise in the housing industry." Taxpayers cannot afford it.

Interjection.

Mr Tilson: Deny these statements. I challenge the Minister of Housing and the Premier to deny these statements, that what he was saying then is not correct.

Mr Melling then continued, "Your Housing critic had proposed at one point that there would be a first right of refusal for tenants whose landlord was selling the building." The member for York South stated: "That's an important first step. I also think we need a government program of purchase."

That is the scary thing I see next, that slums are going to be created and the government is going to take over the existing system of housing in this province, like what happened in the city of New York

Michael Melling then asked the question, "Over the long term, you'd like to see Ontario"—

Hon Mr Cooke: I just think you are sounding more like a fringe candidate every day.

Mr Tilson: If the members do not like these statements, for heaven's sake, they should say they are wrong. I offer that challenge to them.

Michael Melling then stated, "Over the long term, you'd like to see Ontario, and perhaps Canada generally, moving to something more like the Swedish model where there is a very small percentage of private ownership and a very large percentage of non-profit ownership." I am going to get into the Swedish model and how it has not worked there. It has become quite clear the Swedish model of non-profit housing has not worked. Why would this government, when it sees the whole ambit of government-run housing failing in other parts of the world, consider driving the nail into the province even further?

The member for York South then stated in response to that question of Michael Melling: "Yes, that makes a lot more sense to me. What we want to try to do is to eliminate the unproductive speculative element in the economy as much as we possibly can. My model would be one where you have a very substantial non-profit rental sector which would be dominant." So there it is. That is what the Premier of this province said in 1989. Our entire housing stock is going to be non-profit housing.

Michael Melling then continued with another question: "I have a perception that rent review is going to always be an issue, but that it is going to become eclipsed over the next decade or so by maintenance concerns. How do you address that problem and provide some hope for those tenants who are currently living in buildings which are below standard?" The member for York South said: "Well, that's why we have to change the system of ownership and management of a building. If you lived in a non-profit building, where the money went was public knowledge and everybody knew what's at stake and everybody knew what the cost of financing the building was, you knew what the cost of the renovation was, and over how much time it would be paid off, and how you build that into

construction, I don't think people would object to saying in a non-profit building, 'Well, look, we've got no way around this, we've got to improve plumbing, we've got to improve the exterior, whatever it may be.'"

Guess what? The government is going to do all the capital expenditures in this province. That is what he says, that only the government is going to do this. There is no encouragement for the private sector to get in and make these capital expenditures.

Interjections.

Mr Tilson: The members should deny the statements.

Hon Mr Cooke: That's not what it says.

Mr Tilson: I have read it word for word. I would like to make a few brief comments because the Premier has indicated he supports the Swedish model and it clearly has not worked. The Swedish model of course goes back to World War II when it started. I understand it was introduced in Sweden in 1942 as a result of what they felt was an emergency regulation that would be abolished as fast as possible after World War II and it was believed that war-time inflation would be followed by a deflation with sharp declines in prices after World War I.

There are articles written on this subject, one of which is written by Sven Rydenfelt, called *The Rise and Fall of Swedish Rent Control*. I am not going to pursue the whole article but it becomes quite clear if you look at what is going on in Sweden today, rent controls have not worked. He says of course, as has been said in this province, it is easy to introduce but it is hard to abolish. I do not think this government has the slightest intention—it talks about its consultations and its green paper consultations. I do not think that possibility ever occurred to them. They had one thing in their mind and that was to engrain the whole rent review system that was not working before and is not working now.

I am just going to refer to a couple of sections. He talks about what has happened in Sweden about property standards bylaws. That is something, of course, the government really has not referred to, that we do have property standards bylaws in Ontario. If there is no capital money of any substantial amount being put into the housing stock, municipalities are going to be obliged to retain more and more property standards bylaw enforcement officers, more downloading—the very thing this government talked about in the last election. They chided the Liberals, saying, "How dare you raise our property taxes by the downloading?" They are doing the very same thing. I can assure them the property standards bylaw enforcement officers will increase unbelievably as a result of the great need to maintain these buildings. As the member for Eglinton has referred to, it is very old housing stock; 70% of the buildings of this province are 20 years or more in age and are clearly deteriorating.

1730

This article by Mr Rydenfelt, who is a lecturer in economics at the University of Lund in Sweden, commented on the deterioration of the housing stock. He stated:

"It is well known and documented that rent controls result in poorer maintenance, fewer renovations and

modernizations and, therefore, in the long run in a serious deterioration in the quality of buildings. Because some requests for rent increases have been granted, the defenders of control have persistently contended that deterioration and slum development have not occurred. This argument is fallacious."

Hon Mr Cooke: Do you support the entire Swedish model?

Mr Tilson: I am simply saying I am opposed. Obviously, they tried it in Sweden and it did not work. That is why I am referring to some of these articles. Obviously, the government has not taken the time to study rent control in Sweden. I am going to draw some things to their attention.

He proceeded with respect to the fact that rent control breeds slums. We have seen it in New York and we have seen it in Sweden. He carries on with respect to that subject by saying:

"As a result of control and lower rental income, owners' ability to maintain their apartment houses has declined. In particular, their incentive for such upkeep which is motivated by an aesthetic or a comfort point of view has dwindled."

We have always seen that in the Bill 4 hearings, where landlords say: "Why bother? How can we afford to do it?" This government is trying to put in the very thing that happened in Sweden 50 years ago, a system that did not work over there.

"In a free market there is always a surplus of dwellings and flats to let. If the owner in such a market does not keep his property in good condition he runs the risk of losing his tenants and being left with empty flats and losses in rent income. In a controlled market with severe shortages, the owner is under no such compulsion. However badly maintained his property, there are always long queues of homeless people willing to rent his shabby, poorly maintained flats.

"Since there is no economic incentive to encourage the owners to repair, even basic upkeep, which in the long run is necessary to prevent serious quality deterioration (ie slums), is neglected. A development of this kind is difficult to describe in qualitative terms."

I implore members of the government to read articles such as this. They seem to be convinced that rent review is the answer. All they have to do is to look at other jurisdictions around the world, such as Sweden and New York. We even had them come to the Legislature. An individual from New York and an individual from Sweden came to the Legislature. I think the only member of the government who bothered to attend was the member for Niagara Falls. She sat there and listened to it, but no other member of the government attended. It is sad when we hear other examples being offered to describe what is going on around the world.

This article proceeds with respect to the fact that rent control has not worked. "In the seventies there has been something of a housing revolution in Sweden. The gradual abolition of rent controls since 1958—when council houses were exempted—has meant a gradual reduction in the housing shortage, and in the seventies the shortage has

been replaced by a surplus. In the face of a growing surplus the rate of construction has decreased from an all-time record of 110,000 dwelling units in 1970 to 70,000 in 1975. The last remnants of rent control were removed in 1975."

It did not work in Sweden. The Premier said he was trying to put that system in Ontario and yet it did not work in Sweden. He is trying to put a system of rent review, of rent control, in this province even though it did not work in Sweden.

Mr Rydenfelt continues and speaks of the role of the Swedish tenants:

"About 650,000 Swedes are members of the Tenants' Association, from the beginning fanatical defenders of rent control. But the experiences of the controls were so disheartening that some 10 years ago the association changed its policy and began lobbying for the repeal of controls.

"Rents in Sweden—like wages—are now decided after negotiations between the Tenants' Association and the Landlords' Association."

I will bet this government never even discussed that in their discussions. I certainly did not see it in the green paper. I certainly did not hear about it. I am not saying it is something that needs to be advocated, but it at least needs to be pursued. I do not think that has been pursued. Maybe it is something that should be raised in the Bill 121 hearings, as to why that whole philosophy has not been pursued here in Ontario.

It is stated in this article, "Rent control has in certain western countries constituted maybe the worst example of poor planning by governments lacking courage and vision." They have studied the western countries which have gone into rent control and they say it is "poor planning by governments lacking courage and vision." It is the worst example and yet this government insists on proceeding with that. This statement was made by Gunnar Myrdal, who was the co-winner in 1974 of the Nobel prize in economics. I would recommend this paper to be looked at and read by members of the government and anyone else in the House.

There have been newspaper articles which have referred specifically to the Swedish system, mainly because of Mr Melling's interview with the Premier, and how the Premier appears to be supporting the Swedish system. In April of this year there was an interview given to the Toronto Star by Ingemar Stahl, who is a professor, as I indicated, with the school of economics and management at the University of Lund. He reiterated some of the things that were said in this article.

He stated: "The low rents have created a housing shortage. People with the rent-controlled apartments don't let go of them." That is a subject I think we will pursue. Do members know that in New York City these rental apartments are so beneficial they are actually bequeathed to people in the next generation? That is how valuable they have become.

He was asked, "Although rent controls don't seem to work in Sweden or New York, might they not be beneficial in Ontario?" This individual, who has studied the whole subject in Europe and in North America, stated: "As soon as you introduce rent control, private construction for

rental houses drops quickly and almost vanishes over time. Government must then jump in and subsidize social housing, such as you have in Ontario, or provide general subsidies for all construction, as has been the case in Sweden."

That is where we are heading. The government is going to have to finance it; it is going to have to own it; it is going to have to buy it. I do not think the taxpayers of this province will stand that sort of government spending. We have not got it. We are taxed enough.

"All of these things start very innocently...and then it starts its own dynamic. It becomes very difficult to abolish rent controls because there is much vested interest with tenants, private landlords leave the market, and government will be deeply involved in social housing projects with enormous budget costs."

That is something, of course, that the minister has never discussed in his indication as to how he is going to increase unbelievably the amounts of co-op housing and non-profit housing in this province. How are we going to pay for it? What is the annual cost for the various subsidies to these buildings? What are they going to be? We have not heard that.

Mr Freedman then asked, "Has rent control not helped Swedish tenants in any way?" Mr Stahl replied: "Only the tenants with the first contracts. They can't leave their flats because the only way of getting the value of the flat is by staying." That is what has happened in New York. It pays to stay. No one goes anywhere. Why would you? Why would you go out and buy a house? It simply does not pay. That is where this province is going to go. There are people who are making large amounts of money, the so-called rich. Why would they leave their apartments? There is no logical reason for them to do that, because of the inexpensive housing this government will have created.

1740

Mr Freedman asked, "How is the Swedish government reacting to its experience with rent control?" Mr Stahl responded: "Most parties, even the Social Democratic Party now in power, are in favour of loosening up rent control.... Direct housing allowances for low-income people and pensioners will probably be increased."

Again, that is a subject that has never been addressed in this legislation. I will be looking forward to the Bill 121 hearings to hear the minister make his comments as to what he is going to do with the large numbers of people who cannot afford any housing, who cannot afford any rents. That is a subject. There is a large number of people who cannot afford any rents, who cannot afford any increases. This legislation gives increases whether you are poor or whether you are not poor.

Mr Freedman then asked, "What kind of legislation would you recommend to the government of Ontario and the tenants of Ontario?" Mr Stahl said:

"Just now, with the downturn of the trade cycle and the vacancy rates going up a little, it's the right time to abolish parts of the rent control system because there will not be such considerable rent increase in many places. Be very, very aware of the dangers of starting social housing that Minister Cooke is talking about now, such as the 20,000 units a year (the government plans to build). This is a very

costly thing. It's always very dangerous to build special houses for the poor. In the market, it's the upper-middle class that moves into new houses. They leave apartments behind them that (others) can move into. What people try to do here is build dream housing for very poor people and that will not be successful. This just creates new slums at the taxpayers' expense. The second-best option is to give people cash as rental allowances or direct income allowances."

Here is Ingemar Stahl, the noted professor from the school of economics at Lund University, commenting on rent controls in Sweden, which the Premier of this province has advocated.

The comment was made during the Bill 4 hearings, and certainly there will be comments made during the Bill 121 hearings, by this party that if anything, the rent controls that are being implemented and are continuing to be put forward under the rent review system in many cases help the rich. I do not think the government has properly addressed that, because certainly when it is so wide-ranging, when it covers all tenants—not all tenants are poor. There are tenants in this province who can well afford to pay large increases. There are tenants who cannot. But this government has not considered that at all.

I would like to refer very briefly to the Ontario Real Estate Association, which in June 1990 prepared its housing policy study on this whole subject of rent regulation and how it affects the rich. It states that:

"Rent regulation controls the rental of units irrespective of the occupant. Thus there is no capacity to target the benefits produced by rent controls to those most in need. The Institute for Social Research at York University reported in 1989 that there is no relationship between the age of the unit and the income of the occupants. That means there's no evidence that the older, less expensive units that have been regulated longer are occupied by persons with lower incomes.

"Because of its inability to target benefits, rent regulation tends to produce windfall benefits to higher-income tenants." I submit that is exactly what this government's legislation is going to create. There are going to be major windfall benefits to higher-income tenants. "It is argued further that the extra time consumed in the search process and the high cost of available apartments result in reduced mobility and the need for more rental units to serve the population than would be the case without the program.

"From the landlord's perspective, rent regulation in Ontario reduces the value of the capital asset by decreasing its rental revenue. This loss to the landlord is also accompanied by an additional loss of tax revenue to the government." That is a subject that a great deal of time has not been spent on as a result of the facts that have been presented to the Bill 4 hearings and I believe the green paper discussions as to how the private sector rental structures are decreasing in value and the overall effect that is going to have on the tax revenue to the municipalities of this province. That is something that hopefully will be debated.

The Ontario Real Estate Association talked about the legislation treating "all landlords like large corporations. This is manifested by the complex administrative systems that require expertise and recordkeeping beyond the capacity

of the layperson." Again, when you start talking about rent registration, which is another subject that this legislation deals with, if a tenant asks for one unit to be registered, that unit must be registered. That is going to create bureaucracy. I am quite serious, back to the minister, as to the amount of bureaucratic staff that is going to be required. The rent review, the rent registration, the whole process of the expansion of Bill 51 into Bill 121 and the expansion of what is going to be required by the government to administer this program, to say anything, from the fact of the tenants' association and the landlords' associations are going to have to hire substantial amounts of expertise to tell them what the heck the legislation means. It is very, very complicated legislation. The average layperson will simply have no idea where to go, so the people who have the best staff in the private sector are the ones who are going to survive. The average little landlord will simply wither away.

It also talks about the transfer of benefits from the small, non-affluent landlords to better-off tenants. "Finally, the legislation is intrusive in that it substantially redistributes property rights from landlord to tenant."

So it makes certain recommendations and it talks about the phasing out of rent regulations. I am disappointed the government is not talking about that, having seen how rent review is failing in other parts of the world. It states: "The phasing out of rent regulation will: allow the housing market to function more efficiently; reduce the \$40-million cost of administration..." Of course, that figure will jump unbelievably. It will be interesting to see, in my bet with the minister, a year from now what the \$40 million will be. My guess is that it will at least double the cost to the government of housing in this province.

Third, it will "increase incentives for investment in privately financed rental housing; remove an ineffective and inequitable subsidy; make unnecessary a range of associated legislation intended to plug gaps in the rent regulation system; provide government with greater flexibility in the housing policy area by releasing large amounts of money committed to rent regulation; enhance the ability of the market to respond to changes in demand/supply conditions, and thus improve vacancy rates and residential mobility, which, over time, will result in reduced rents for tenants."

The government, in its consultations, obviously did not review proposals that would be put forward by the Ontario Real Estate Association or other associations similar to it. They have gone with their blinders on. They have seen what they want and that is it. The fact that they made consultations simply is not acceptable.

1750

I would like to spend some time with respect to comparing what has gone on in the city of New York, because obviously this government has not considered the problems that have occurred in the city of New York. We have made comments to the government, we have tried to encourage it to look at it, and I have had no response from the minister or his parliamentary assistant or other members of this government as to why the situation in New York could not occur in Ontario.

I am going to refer to it. I am going to take up a little bit of time talking about the problems in New York.

William Tucker, who is an authority on the whole subject of rent control in New York City, was here in this House, in one of the committee rooms—and, of course, only one member of the government took the time to go to it—and he has charts, he has statistics, which show that rent review, rent control lead to homelessness. I do not think the government believes that, but if members read this book or books like it, they will see that clearly that is something that needs to be considered.

Certainly rent control does influence homelessness, when you read some of the statistics that are put forward by Mr Tucker and were reiterated to him when he spoke to some members some months ago. He states in his text, which is entitled *The Excluded Americans: Homelessness and Housing Policies*:

So what is rent control and how does it influence housing and homelessness? "To economists, the answer is a straightforward one. Rents, like all prices, are determined by the laws of supply and demand. Any attempt to manipulate prices can have only one of two consequences. It can produce surpluses or shortages. If the government holds prices above market level, the result will be a surplus. If prices are held below market level, the result will be a shortage."

Guess what this government is trying to do. They are trying to hold the whole subject of prices with respect to rental accommodation below the market level. That is quite clearly why there is a shortage of housing in this province. They seem to have it in their heads that they are going to solve the whole subject by putting in non-profit housing. Their whole answer is co-op housing and non-profit housing, all at the expense of the taxpayer.

Mr Lessard: What is wrong with it?

Mr Tilson: There is nothing wrong with non-profit housing. You just do not make the entire housing structure non-profit housing. You have a mix. The government is going to do away with private enterprise in this province. There are not going to be any new initiatives with respect to private housing being built. Can the member tell me one, because if he can, I would like to hear about it.

He talks about how you set prices with respect to rents, and generally the theory on prices, because the comparisons are very similar. He states: "The important thing to realize about a free-market economy is that neither buyers nor sellers can set prices all by themselves. Prices are not dictated by anyone, but set by negotiations between buyers and sellers."

That is an important statement. This government is doing away with that whole theory. They are simply saying: "We're going to set the prices. We're not going to allow any negotiations between tenants and landlords. We're not going to encourage any new housing, so therefore the government will control all the housing. The government will control all the prices."

Mr Tucker goes on by saying: "They are the result of the great mass of private transactions, on which each individual transaction has only very little impact. This may

make each individual buyer and seller feel powerless, but this is only because there are so many other buyers and sellers in the market.

"Unfortunately, throughout history the majority of people have labored under the illusion that if prices can be fixed at some favourable level by the government, an unlimited amount of the desired commodities will be available at that price. This is not true. Prices cannot be forcefully moved away from market levels without throwing supply and demand out of alignment. The real effect is to foul up the flow of information between producers and consumers. If buyers and sellers cannot communicate through prices, neither can tell what the other wants to do. The result will be a surplus or a shortage."

Mr Tucker is not just making this up. He has statistics that go all through the city of New York. Most of his figures are based in various cities around the United States that have tried and have failed at rent control. So he is not making this up. I would encourage members of the government to study this as to how what they are proposing with Bill 121 is not going to work.

He talks about how there is a low vacancy rate in every city in the United States which has experienced rent controls, and he has studied every one of them and has made graphs as to where they were before, during and after rent controls have been experimented with. He states at page 159 of the text: "Rent control produces an identical housing shortage. The most obvious evidence is the remarkably low vacancy rate in every city with rent control."

When we hear these statistics, we wonder why the government would put forward that philosophy. We wonder if they did consult. Did they really consult? Did they really study all of the alternatives that have occurred in North America and in other parts of Europe? Did they really study it? I doubt if they did, because if they did we would have heard about it.

Mr Tucker continues by saying: "With rent control, there are several possible holes in the market. One is new housing." I refer to this subject because of the proposal by the minister to exempt new housing for a period of five years and the downfalls of that. I suspect that will not encourage people to get into the housing market. Why would they, as I said earlier, when they know perfectly well that in five years they are going to be right back with rent controls or rent review? So Mr Tucker commented on this. He said: "With rent control there are several possible holes in the market. One is new housing. Realizing that developers do not want to build in a rent-controlled market, cities will often exempt new buildings from the controls (unless, of course, they don't want new construction, which is why Berkeley and Santa Monica have not allowed this exemption). Sometimes smaller buildings are also left unregulated. Often these holes in the market develop spontaneously—as when Berkeley home owners started renting out spare bedrooms to students desperately seeking housing." We have seen that going on in this province, too, and the government has yet to deal with that in some of the university towns.

"To people who are forced to shop in these holes in the market, prices will be higher than they would be in a free

market. This is because the excess demand spilling over from the regulated sector is chasing after the limited supplies in the hole-in-the-market sector. Often this unregulated sector will be a 'black market,' where a premium must be paid for underground dealings. In any case, people forced outside the regulated sector by shortages will end up paying more than they would at market prices." So I would encourage the government to study that factor if it is insisting on putting rent controls back on buildings after they have been up for five years, and the problems that it will create by that policy.

He has provided a considerable amount of data as to how rent controls, in fact, push people out into the streets. There is nowhere else to go. There is no way this government, through its non-profit housing and co-op housing, will be able to house all of the poor. There is no way. There is just not enough money in the pot to do that.

Mr Tucker comments on this when he states: "Rent control is very much like exclusionary zoning and growth control. The present residents of any community can vote themselves handsome benefits, while the adverse effects are pushed on to outsiders and future residents. In the suburbs this technique usually means pushing housing problems into a neighbouring town or back into the cities. In the cities, however, it means pushing people into the streets.

"One of the initial appeals of rent control is that landlords are in certain ways captives of the municipality. They cannot move their buildings to the next town to avoid the regulations." This is one area where there will be no cross-border shopping. The landlords, unfortunately, are prisoners. They cannot go to other jurisdictions. They are stuck with this government, at least until it is turfed out of office.

They also talk about affordable housing and waiting in line. That is a subject the NDP government has never really dealt with when it talks about its non-profit housing and co-op housing as an alternative to private enterprise housing: the waiting lists that are going to be created and are in fact created. The waiting lists are unbelievable, it has been referred to, to get into non-profit housing.

1800

Mr Tucker refers to that at page 164 of his text where he states:

"Economists have long noted that prices are a rationing system whereby scarce resources are allocated according to people's ability to buy. When prices are prevented from functioning, another system of allocation must take their place. In wartime, for example, ration cards are usually used to ration goods in conjunction with price controls. In socialist countries, a first-come, first-served basis is substituted—often called 'waiting in line.' Today's restricted suburban municipalities are allocating affordable housing units by lottery.

"Without any of these systems, however, rationing is likely to take place through inside information, good connections, informal agreements, bribes or other under-the-table arrangements (often called the 'black market'). In a rent-controlled community, favouritism, friendships and insider connections usually become the principal means of

distribution. People with networks of family or friends can usually find housing. Those without connections cannot."

I hope this government is not going to be creating the type of society that has been experienced in other jurisdictions such as the society Mr Tucker has described in New York, where these types of arrangements are made with respect to people in the know. I hope, if they are confident that this legislation is going to pass and is going to work that type of problem will not exist. I hope they will look at how it did not work in the city of New York, at how people take advantage of that type of system and how the poor and those who do not know people as much as some of the more wealthy tenants will be downtrodden perhaps by people in the know.

Mr Tucker also talks about how rent control causes relationships between the tenants and the landlords to be adversarial. I mentioned at the beginning of my comments the type of arrangements that can cause, the whole fact of tenants saying, "Such-and-such a condition exists in my building. There is neglect. Landlords come and try to fix it up. It's not done adequately," the whole debate back and forth in that type of arrangement.

This system has been tried in other jurisdictions and it has failed miserably. All we have to do is look to New York and we can see the problems Ontario is going to encounter if Bill 121 is passed with the suggestions that are being put forward by this government. Mr Tucker said at page 204:

"In an ordinary city without rent control, tenant-landlord relations are usually invisible. 'Believe it or not, I've seen tenants and landlords in Berkeley who were absolutely best of friends until the rent board came in and destroyed their relationship,' said Gregory McConnell, former director of Berkeley rent control."

We have already seen that. During the Bill 4 hearings, we have seen where tenants and landlords came to an arrangement with respect to performing capital expenditures on their buildings and then the dreaded Bill 4 came in. Even though their deal had been struck, Bill 4 declared that void, and tenant after tenant said, "That's not fair when we came to an arrangement." That is what this type of legislation is going to create.

Mr Tucker goes on to state on the next page:

"In a normal market, landlords make money by offering reasonable housing at reasonable prices. Rents are set by supply and demand. If housing is scarce, landlords will be able to charge higher prices. If the market is glutted, they will worry about securing tenants.

"One thing a landlord can do about attracting tenants is to keep his place attractive and clean. If a landlord lets his building run down, he risks losing tenants. Likewise, if tenants don't like an apartment, they can usually look for another one."

There is the catch-22 that has been created. Landlords have simply said that what is being set under Bill 121 will not assist them in improving their buildings, even at the lowest level of small maintenance. But there is no other place for them to go. There are no other structures being built. So what is going to become of the tenants of this province as a result of the policies of this government?

Mr Tucker continued by saying:

"One recent study in Baltimore found that even in the worse slums there is generally a three-tier system of rents. Tenants who are well behaved and pay on time, pay below-market rents. Those who are average in their behavior pay market rents. Tenants who present behavioral problems generally pay rents that are above market. Setting a rent level is an important means of social control, and landlords serve as informal policemen, maintaining order in their buildings.

"Under rent control, however"—and that is what this government is trying to put forward—"all these things change. Landlord-tenant relations become completely adversarial." That is what has started in Ontario. "Landlords turn into greedy villains who seem to want nothing except let their buildings run down and get rid of tenants. Meanwhile, tenants are in a constant state of agitation, see themselves as helpless prisoners of a voracious landlord class. Only the heroic efforts of the rent control authorities keep them from being eaten alive.

"What is it about rent control that sets off open warfare between tenants and landlords and seems to turn landlords into exactly the heartless monsters that tenant activists claim they are?

"The key point to recognize is that rent controls turn a voluntary exchange into a coerced transaction. Regardless of how much griping tenants or landlords may do in a free market, the fact remains that nobody is able to force anyone into a transaction they don't want to make." But we will in Ontario with the legislation this government is going to put forward.

"But rent control is purely and simply an attempt by tenants to use the power of the government to set prices. As we have already seen, this effort inevitably produces a shortage. But what it does for tenant-landlord relationships—and eventually for the entire civic order of the community—is an entirely separate story.

"Forced to sell at a price below market, any merchant will do one of three things: (1) he will withdraw the product from the market; (2) he will try to circumvent the regulations; or (3) he will let the product deteriorate to the point where its value matches the legal price."

That should be considered by this government before it goes forward with this legislation. Is it possible that can happen? If they are honestly convinced after looking at what goes on in jurisdictions that this cannot happen, then so be it. But I think if they study what goes on in Sweden and what goes on in New York and what goes on in some of the other American jurisdictions that have experience in what this government is going through, they will have second thoughts in putting forward this legislation.

Mr Tucker continues by saying:

"The first and most obvious response to rent control is to get out of the business and invest in something else. This is easy enough if you are a builder of houses—you just stop building. This is why, sooner or later, all rent-controlled communities eventually see new construction all but disappear—even when they try to exempt new housing." The minister should remember that. That is what has happened in New York and what could happen in Ontario.

Mr Tucker goes on to state:

"If you already own rental apartments, however, getting out of the business is not such an easy matter. This, in fact, is what makes rent control so initially attractive. As the author of *The Cities' Wealth* put it, 'Housing can be controlled far more easily than other forms of wealth which are movable and beyond the scope of legal regulation by the city.' If Berkeley tried to set prices on food or stereo equipment, the stores would just relocate across the border in Oakland. But a landlord does not have that option."

That is what has happened in the United States. Landlords in these various cities got stuck and the slums of New York and other cities were created. I believe if this policy continues in Ontario, it could happen here.

I believe also that with the small amounts of capital increases that are being suggested by the minister with respect to capital expenditures, landlords will simply stop making capital expenditures. They simply will stop because they will not have the money themselves and the banks will not. The banks and the financial institutions that fund these things simply will not do it.

So is the Premier's plan really moving along as scheduled? Is the grand plan unfolding? Is he going to take over the housing industry of this province because the landlords cannot afford the capital expenditures?

1810

Mr Tucker did talk about landlords stopping making repairs, and I would like to throw that out to the government to consider. He talks about "what to do when the landlord stops making repairs in the hope that his tenants will decide to leave. Having created this new kind of landlord, the municipal government must now protect tenants from him." Of course in the United States they have individual rent control systems in each individual city, as opposed to states, as most members know.

He states: "The solution is always the same. Sooner or later, someone will come up with the bright idea, 'Why don't we let tenants enforce the housing code by giving them power to withhold rent, or even receive permanent rent reductions, if the landlord doesn't maintain his building?' And so, procedures for rent reductions and rent strikes will be formalized." Do members see how the antagonism can develop? It can mushroom into something that I do not think we want in this society of Ontario.

"What political leaders do not want to acknowledge is that, in both the short and the long run, tenants are generally far more interested in not paying rent than in worrying about the overall condition of the building. Tenants will demand rent reductions for the most trivial complaints."

Again I ask the minister: What does neglect mean? He will not tell us what neglect means. What is neglect? Is it a crack in the wall? If a tenant makes an objection about a crack in the wall, which may or may not be a trivial complaint, does that result in rent being reduced?

Mr Tucker continues by saying: "Since the rent board is almost always loaded with tenant activists, the whole process soon becomes a kangaroo court. (When Berkeley landlords finally elected one property owner to the rent board, the board decided she was not allowed to vote because

ownership was a 'conflict of interest.')" Sounding familiar, more and more, to Ontario.

Mr Tucker continues by saying:

"Finding building code violations soon becomes a sport—one that rich and poor alike can play. The affluent will form committees and comb their buildings with righteous indignation. The poor may just continue to break things out of habit. Either way, the rent reductions mount up. When trivial violations can't be found, it is always possible to create a few. A broken window, a damaged mailbox, a missing smoke alarm—all may be worth sizable rent reductions in what becomes known as the 'violations game.'"

It cannot happen in Ontario? Just watch, I say to the minister.

Mr Tucker concludes that particular section by saying that such rent—

Mr White: On a point of order, Mr Speaker: I understand that the standing orders forbid lengthy readings, but quotations alone or excerpts from readings are appropriate. It seems to me that the member is reading extensively and far beyond a simple quotation.

The Acting Speaker (Mr Villeneuve): Thank you. That is a matter of opinion. The member is quoting extensively, but I believe he is in order and he is right on topic.

Mr Tilson: I do not think the government has looked at other jurisdictions. Since they have not taken the time to look at other jurisdictions that have experimented with rent control and rent review, they are going to hear about it right now, because I think that is something that should be dealt with by this House and the committee. That is why I am spending some time with the situation in New York and how it failed in New York and is continuing to fail in the city of New York and in other cities across the United States.

Mr Tucker continues by saying: "Such rent reductions are usually supposed to be temporary—removable when the violation is corrected. But now comes the next level of play, known as the 'access game.'" All of this sounds very silly, Mr Speaker, but if you follow the process that is being created by some of the sections in Bill 121, I think you can see it is possible. If it is not possible, then fine, proceed. But if it is possible, hopefully the government will have a second look at its legislation before it proceeds.

Mr Tucker continues by saying: "Having been awarded a \$45-a-month rent reduction for a small crack in the bathroom wall, the tenant now says to himself, 'Do I really want this crack fixed or would I rather keep the \$45 a month?'" The answer, of course, is obvious. So when the plasterers arrive two days later to patch the wall, the tenant refuses to let them in. That is called the access game in the city of New York. Can it happen in Ontario? I believe it can.

Mr Tucker continues by saying:

"This scenario is repeated over and over again in rent-controlled cities. Landlords make appointments, tenants make sure they are not at home. Landlords catch them at home, tenants say they can't be disturbed. Landlords send registered letters setting up appointments, tenants send them back. 'We've had to call the police several times where tenants were physically threatening workmen who were trying to make repairs in their apartments....'"

This set of facts, these scenarios I have been referring to, actually happened in various cities and in the city of New York, and yet there is nothing in the legislation that deals with trying to avoid those situations. I hope the government will have substantial amendments prepared for the committee hearings to resolve that type of situation, if indeed it does not simply withdraw some of the sections in the act that will create these problems.

Mr Tucker proceeds by saying:

"The further their rents descend, the angrier tenants become. 'The rents here are so great,' they will say, 'but the landlord is a complete scum. He never fixes anything. You have to drag him into court just to get him to change a lightbulb.' When confronted with the idea that their below-market rents might have something to do with this, they will cry out: 'Market rents? Are you kidding? This place isn't worth the money we're paying for it now.'" That is awfully similar to some of the statements that were made during Bill 4 and how this government has failed to address those situations.

"And so it goes on and on, until it becomes one of the ugliest spectacles in America, landlords and tenants fighting in hand-to-hand combat over housing that is falling down around their ears." Cannot happen in Ontario? I believe it will.

"And so homelessness mounts," Mr Tucker proceeds. "By blocking new housing and destroying old, rent control leaves a swelling number of people without any place to live. The poorest will be first let out in the cold."

I have referred to situations in New York where rents are so low in the private sector, as a result of rent control, that they bequeath them, they make bequests in their wills of apartments they have access to. They do not go anywhere. Why would they? It is the best deal in town. Mr Tucker devotes an entire chapter to this subject, chapter 19, where he talks about "The Best Deal in Town."

I am going to refer to a few sections in this just to show members some very well known people who you would think are extremely well off and are taking advantage of the rent—

Mr Miclash: On a point of order, Mr Speaker: I do not believe there is a quorum in the House and I think the government members should realize that it is their responsibility to keep a quorum in the House, so I would like to call for a quorum.

The Acting Speaker ordered the bells rung.

[Report continues in volume B]

ERRATUM

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Clerk Assistant and Clerk of Journals: Alex D. McFedries

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Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
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			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
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Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
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Chiarelli, Robert	Ottawa West	Lib	
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Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
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Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
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			Co-Chair, special committee on the parliamentary precinct
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			minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
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Name of member	Constituency	Party	Other responsibilities
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Jansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Jarnick, Charles	Willowdale	PC	
Jarrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Jarris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
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Jayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
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Jope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
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Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
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MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
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McLash, Frank	Kenora	Lib	
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North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
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O'Neill, Yvonne	Ottawa-Rideau	Lib	
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Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
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Ruprecht, Tony	Parkdale	Lib	
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Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
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First Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 24 June 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 24 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 24 June 1991

[Report continued from volume A]

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The Acting Speaker (Mr Villeneuve): A quorum is now present. The honourable member for Dufferin-Peel had the floor at the time of the quorum call. You may now resume your participation in the debate.

Mr Tilson: The best deal in town is in the city of New York as a result of rent review, according to Mr Tucker. What he is saying makes sense as to the number of wealthy people who are literally abusing the rent review system in the city of New York. Mr Tucker states in his chapter dealing with this:

"The outcome of rent control is that long-tenured or affluent tenants get reduced rents. In New York, the remarkable result has been that some of the best deals are held by the city's cultural and political luminaries.

"Former Mayor Edward Koch himself is one of the biggest winners. He has a rent-controlled apartment on Washington Street in Greenwich Village. Koch pays \$441.49 a month for a large, one-bedroom apartment with an outer terrace that would probably be worth \$1,200 in an unregulated market. He kept the apartment for the entire 12 years he lived in Gracie Mansion."

That was the mayor of the city of New York taking advantage of the rent review system. There are going to be people in these cities, in the city of Toronto, the city of Ottawa and the city of London, who are going to do the same thing as a result of the policy of this government.

Ms Gigantes: That's slanderous.

Mr Tilson: It is here in the book. Read the book.

"Supermodel and actress Lauren Hutton and her husband, Robert Williamson, have title to a rent-controlled chalet in the rear of a small apartment building in Greenwich Village. They pay \$469.70 a month. (Rent-controlled rents are always calculated to the penny, since they are raised by annual percentages.)" Sounds familiar? That is the policy that is being suggested by this government.

"The chalet, built as an artist's studio in the 1920s, has floor-to-ceiling mahogany panelling, a fireplace, and a loft. The couple also own a home in California and ocean-front property in the Hamptons and on Long Island. Williamson has another rent-controlled apartment in the neighbourhood that he uses for storage. Strangely, both his landlords independently sued Williamson for non-primary residence without realizing he had two apartments. Williamson won both cases."

It goes on and on about other well-known personalities that are literally taking advantage and paying unbelievably low rents as a result of rent review in the city of New York. It goes on for a great number of pages. It is almost like one of the scandal magazines, and it is scandalous when we hear of wealthy individuals taking advantage of such a system, but that is predictable in Ontario. It makes sense,

because the exact system that this government is suggesting has been going on in the city of New York for years.

Mr Tucker comments:

"For many years, Shelley Winters had a rent-controlled apartment near Central Park, paying only \$839.93 for two bedrooms. She also owned a home in Beverly Hills. She finally bought her apartment in 1987—four years after the building went co-op—when the new management board proved in court that the Beverly Hills home was her primary residence. Farley Granger, another old-time actor, remains in a rent-controlled apartment in the same building, paying \$916.75 for a two-bedroom apartment...."

"Politicians in New York make out equally well under rent control. On the city council, many of the most outspoken advocates of rent regulations are beneficiaries themselves. Of the seven representatives from Manhattan (where most of the best rent-controlled deals are located), three have benefited substantially from rent control." Sounding more and more like Ontario? I can assure members it is.

Finally they conclude, and this is the best story of all, where Mr Tucker talks about one of the Rothschilds, who was a descendant from the real Rothschilds, another Manhattan artist who has built a career around a rent-controlled apartment.

"An art appraiser with a modest reputation, Rothschild has what both the New York Post and Fox Television's A Current Affair called 'the best deal in town.' The 73-year-old Rothschild is the sole tenant of an eight-room duplex featuring a 2,000-square-foot living room that has a 22-foot ceiling, plus hand-carved woodwork and cathedral windows, all in an ornate building just off Central Park. He pays \$568.24 a month.

"Divorced three times, Rothschild said he is fairly certain that his last wife married him in the hope of eventually getting the apartment. 'When I die,' he added, 'I just want to be cremated and have my ashes buried right here under my living room floor.'

"Even in death, New Yorkers rarely want to give up their rent-controlled apartments."

That is how preposterous rent review has become in the city of New York.

The government has taken over and that is what this government wants to do. It has become quite clear from the Premier's statement to Mr Melling, which has gone uncontradicted in this House, so I therefore conclude, as does everyone else in this province, that the New Democratic government wishes to take over the housing industry.

Mr Tucker talks about that to a certain extent in chapter 22 and the downfalls of that. He states, "Once a municipal government has stifled private enterprise in housing, the other shoe drops." I ask when the other shoe is going to drop in Ontario.

Mr Tucker continues by saying:

"The government must now become the 'supplier of last resort.' The private sector can no longer provide housing,

so the government must. The process can be observed in England, where rent controls were first imposed during World War I. By 1980, almost 80% of Great Britain's housing was owned by the government. Only Prime Minister Margaret Thatcher's well-received policy to sell public housing to its tenants has begun to reverse the process.

"New York City is going through the same transition. 'Private developers cannot even build middle-income housing in New York,' said Abe Biderman, commissioner of HYPD. 'The numbers just aren't there. By the time you factor in land costs, construction costs and property taxes, you're already up to \$800 to \$900 a month rent. If we're going to have low-income housing in New York, the city is going to have to build it.'"

That is exactly what is happening in Ontario. The minister's agenda is quite clear: He intends to build all the housing in the province. That is what he is proposing. He is driving the private sector out of business.

Hon Mr Cooke: David, he is talking about costs.

Mr Tilson: The minister keeps talking about how he is planning to support private housing, how he favours everyone. I would like to know where his legislation encourages the construction of new housing in this province by the private sector. There is not one iota of evidence that it is going to happen.

Mr Tucker does continue with some paragraphs about where the government takes over and he states—

Hon Mr Cooke: You are more right-wing than the Reform Party.

Mr Tilson: The truth hurts, I know. He states:

"Perhaps the most interesting question, though, is this: Where is the city government ever going to get all the vacant and half-vacant buildings that will be reconstructed and rehabilitated into low- and moderate-income housing? We have already heard the answer. It is to be 'torn from landlords' bleeding hands.'" That is what the minister is suggesting in this province.

"In 1986, New York City owned 9,000 buildings, containing 50,000 vacant and 50,000 occupied apartments—9% of the city's housing stock. Seventy per cent of central Harlem is now owned by the city government." The city of New York is the largest landlord in the city and this province is going to become—

Mr Turnbull: Once again it appears that the government has so much disrespect for this House that we do not have a quorum.

The Acting Speaker ordered the bells rung.

1829

Mr Tilson: I was just describing very briefly how the city of New York has in fact become the largest owner of apartment dwellings in that city and how that obviously is the plan of the Premier and the Minister of Housing.

This is all well documented. Mr Tucker has not just made this up. This is quite factual. He proceeds at page 312, where he states:

"Only about 100 buildings are auctioned back to the public each year, all of them very small structures with only

one to four units. The remainder are being held as a war chest for the city government's future housing programs.

"The mayor's 10-year program, in fact, is nothing more than a blueprint for taking more buildings out of the hands of private owners and turning them over to the growing legions of politically connected non-profit organizations that are going to be the city's new landlords. Half the money in the \$5.1 billion will go to non-profits." That is a fear that I hope does not happen in Ontario. I think we all acknowledge that there is a need for non-profit housing, but it is getting out of control in this province, and it is as a result of legislation such as we are seeing before us today.

The best statement of all comes from Assa Lindbeck, chairman of the Nobel Prize Committee for Economics. His brief statement on the subject of rent controls is referred to in the text. I think this sums up why we should not proceed with the rent review legislation being proposed by Bill 121:

"The effects of rent control have in fact been exactly what can be predicted from the simplest type of supply-and-demand analysis—'housing shortage' (excess demand for housing), black markets, privileges for those who happen to have a contract for a rent-controlled apartment, nepotism in the distribution of the available apartments, difficulties in getting apartments for families with children and, in many places, deterioration of the housing stock. In fact, next to bombing, rent control seems in many cases to be the most efficient technique so far known for destroying cities, as the housing situation in New York City demonstrates."

I heartily recommend that this text be read by members of the government. Obviously they have not studied other jurisdictions, such as the various American cities that have got into rent control. They have not studied the situation in Europe, in England and in Sweden. They simply think it is a good idea and that is how they are going to solve the housing problem. They should look at some of these issues, because their legislation does not deal with the types of problems that exist in New York. Their legislation is completely silent on these and I can assure them that it will be raised in the committee hearings.

The Minister of Housing, who is prattling on now, talked back in December with respect to the subject of rent review. Having talked about some of the horror stories that have been going on in other jurisdictions, I would like to refer the minister to where he states in Hansard, as a result of a question I asked him back on 3 December 1990:

"I think one of the difficulties that all of us have had under the current rent review legislation is that it has been so complex that it has cost the taxpayers of this province \$40 million a year to administer an incredibly complex system.

"I think one of the prime goals of this government is to develop with landlords and with tenants, over as short a period of time as possible, a system of rent regulation which will be simpler and clearer to both landlords and tenants and which will result, in fact, in some of the bureaucracy in the rent review system being able to be downsized so that we will have a simpler system."

Is that what Bill 121 is going to do? In the months ahead we will be debating that and I think the minister will find that we are not so far from the problems that have

occurred in the American cities, in England and in Sweden that have been described to him here today.

I would like to refer to some of the sections in the bill, specifically the time-limited exemption which is referred to in section 3, the subject of time allocation which is dealt with in subsection 3(5) and the whole issue of new buildings.

After five years, new buildings will be subject to controls and there will be little incentive as a result of that. In other words, the definition section talks about how new buildings will be exempt for five years, and after five years they will be subject to rent control. There will be no incentive for individuals to build new buildings, knowing perfectly well that they are going to be constructing buildings that will be subject to rent control in five years. Why would they do that? There is no reason why they would do that. I would submit it is a ploy to give the impression that they are getting out of rent control. In fact, they are going into it even further.

I think some of these sections would be dealt with more appropriately in the clause-by-clause discussions at the committee, and that certainly will be done.

I would like to make a couple of comments specifically with respect to the extraordinary operating costs that have been referred to by the minister in his opening comments. We in our party, of course, referred to the subject of garbage tippage fees, and we put forward an amendment, which I do not think we got a chance to make in the House as a result of the closure.

The very thing our party predicted is starting to happen already. The city of Scarborough has insisted that one particular landlord create a garbage structure outside his apartment building at a cost of \$25,000 to \$30,000. The rents currently in this building are \$504. I guess the reason I am giving this example is that there is nothing in the legislation that allows for that type of expenditure. In other words, where a municipality or some outside force comes along and passes legislation, this must be done. I would submit that hopefully there will be some amendments to deal with that.

When we look at section 14, we must also look at subsection (2) that talks about an increase in cost being considered extraordinary only if the taxes, heat, hydro and water for the whole complex increase more than 50% of the average over the past three years for that specific category. We have to look at that subsection. I think it is slightly misleading to say that those types of expenditures are allowed, as stated by the minister, without further explanation from him, and I would invite him to do that this evening.

Throughout the act there are definitions whose meaning, I hope, will come out in the hearings. Specifically, I have raised in the House the issue of neglect. I have raised the issue in subsection 15(3), where it states:

“(3) A capital expenditure is not eligible if,

“(a) it became necessary as a result of neglect in maintaining the residential complex or a rental unit in it....”

We do not know what “neglect” means. We do not know what is “necessary.” We do not know what that is. I suppose the minister is going to tell us, “Oh, well, that will come forward in the regulations.” But the unfortunate part is that we will not see those regulations until the bill has

been passed. Being a new member of the House, that is my understanding as to the procedure. It is very difficult to support legislation when you know these strange definitions are going to come out.

There is the other subject of conditional orders that does appear in subsection 15(4). It would appear that conditional orders would continue under certain circumstances, but if they are not allowed, I would submit that those facts, where people are trying to do certain things as a result of conditional orders, could be used against the landlord to prove neglect or inefficient maintenance or reduction of service, if the orders are not granted and they do not have the funds to do it. So it is a catch-22 situation that I would submit the government is putting forward.

Section 16 talks about the transitional capital expenditure period. In other words, to be fair to the minister, he did attempt to make some allowance for the problems of people who were caught under Bill 4 and the financial difficulties they have encountered. I will admit one thing to him: He has at least tried with that section to alleviate some of the problems.

However, due to the time that has elapsed since the work was completed and the application processed, the amount received in most cases will not even cover the interest. The amount that is being allowed will not even cover the interest that has been the result of this delay, so the moratorium would appear to remain in place, obviously, until royal assent for Bill 121 is given. If Bill 121 does not pass before 1 June 1992, I believe the capital expenditures incurred between 7 June and 31 December are lost. They are lost for ever. Again, that section is rather misleading.

I will not proceed with other sections in the act, but I would submit it is a terribly drafted piece of legislation. The lack of definition is rampant. It is very difficult to define to tenants and landlords exactly what is meant. There is no question, as I said in my response to him, that tenants' and landlords' associations are going to have to hire experts to determine where they are going with this specific legislation.

I will hold the minister to my bet of a loonie because I believe the administration and the bureaucracy will be rampant as a result of this legislation.

Bill 51, of course, had a Residential Rental Standards Board where members were appointed by the Lieutenant Governor in Council and were assisted in the performance of their duties by such officers and employees of municipalities as were required. It was this board that set the minimum maintenance standards. Property standards bylaws also involved the municipalities, and as well, provincial property standards employees could conduct inspections.

Landlords could appeal an order by filing a notice with the board, and this appeal could be heard by a single member of the board or by a panel of three members. Along comes Bill 121, and as I understand it—if I am incorrect I am sure the minister will tell me—the director of rent control is the administrative head, not the minister, as was the case in Bill 51. The director assumes—this is contrary to what I believe the member for Eglinton has indicated—responsibility for the administration of the act and has the authority to direct actual applications, inspections and orders.

The next issue is rent control officers, who receive applications and judgements and issue work orders. I would be interested to know—I challenge the minister to tell me—what type of bureaucracy will be created by this legislation. How many new people are going to be created as a result of Bill 121? How many rent control officers will there be? How many rent inspectors will there be? Rent inspectors will inspect the buildings to determine the need for or cause of capital repairs and report the findings back to the director or rent control officers. There is no appeal process in this legislation, only with respect to that in a court of law.

I can tell members that already there are ripples in the economic system of this province. People are already having difficulties with the proposed legislation. Before, with respect to Bill 4, work and job losses were simply postponed; now, with Bill 121, if Bill 121 is passed, they are being cancelled—

Hon Mr Cooke: David, look around you.

Mr Tilson: If the member is not getting letters, I can assure the member that I am. People are simply telling me that jobs are going to be cancelled, contracts are going to be cancelled and suppliers are going to be cancelled, so all the problems created by Bill 4 are continuing and are worsening with respect to Bill 121.

One letter I would like to refer to is from O'Shanter Development Co, which talks about, again, the definition of "adequate" in section 25.

He states: "How does the minister expect the rental industry to trust a rent review system where the rent review officer will first decide whether he should lower a landlord's rent?" He refers to subsection 13(7) of the bill before he considers any possible increase. This is a dramatic variance from the previous legislation. "In section 25, a tenant must apply to lower rent based on whether the standard of maintenance is adequate. What does the word 'adequate' mean?" He goes on that he believes this will be the basis of kangaroo court proceedings, where tenants vandalize their apartments to get their rents lowered. "Ample evidence of this exists in Berkeley or New York. Perhaps Bill 121 should be named Pacific Heights à la Cooke."

The people in the housing industry and the private sector industry are looking at other jurisdictions. They are looking at New York, England, and Sweden and they are very concerned where we are going. I must confess that certainly people on this side of the House are concerned as well.

I would like to refer to one further piece of correspondence, from Sifton Properties of London. These types of correspondence are coming from all across this province. I hope the minister is receiving similar pieces of legislation and will consider them before implementing Bill 121.

The specific correspondence I am referring to has just recently come to me from Barry Parker, vice-president of residential income properties, who talks about what Bill 4 did to him and what he expects Bill 121 is going to do to him. He states:

"As owners and managers of 3,000 pre-1976 rental units in southwestern Ontario, we are writing to complain about the NDP's latest disaster for our industry—Bill 121.

"Our stock of units now averages about 20 years in age and has been subject to the full effects of Ontario's rent control system since 1975. During that time, rents have failed to even keep up with the inflation since the guideline increases were well below the inflation rate throughout most of the 1980s. In other words, like many owners of the older buildings, unless we have received approval from rent review services for an above-guideline increase, we must now rent our units for less money in real dollars than was being charged in 1975. Compounding this problem is the fact that due to the age of our stock of housing, we must now plow millions of dollars back into our properties in order to ensure that they remain functional and attractive for the next 25 years. Bill 121, if passed, will make that impossible.

"Our company had earmarked \$13 million to be spent on units after the Residential Rent Regulation Act, 1986, was passed. While the act was in place, we spent \$2.5 million and had filed conditional applications for another \$3.7 million with plans to continue with our renovations until all of our units had been refurbished. All of these plans were postponed until Bill 4 was introduced, but will be cancelled if Bill 121 is passed. Please understand that this step will be taken with great reluctance, as we take great pride in offering clean, presentable units to our customers, but Bill 121 gives us no choice. First of all, the guideline increase has been reduced from the amount allowed under the current formula. In 1991, for example, the amount available to pay our operating costs and minor capital would be reduced by 8%, which translates into a reduction of \$175,000 of working capital, if the Bill 121 formula were in place.

"Secondly, the 3% cap on capital, after incurring a 2% penalty, could not allow us to recover our costs, nor will we be able to find a lender to provide funds for this work. Simply put, we will not be able to afford to do the work we wish to perform, notwithstanding Mr Cooke's utterly ludicrous contention that Bill 121 creates more funds for capital expenditures when the exact opposite is the case.

"The most frustrating aspect of this entire situation is that the NDP has demonstrated a complete lack of understanding of the realities of operating income properties. While they smugly assert that our industry always complains when rent control bills are passed, they fail to acknowledge that we have every right to complain. The fact that we have not supported rent controls in the past does not take away anything from the fact that Bill 121 represents a disaster to our company's plan to continue to operate well-maintained, attractive buildings for our customers."

That is the gist of where we are going with Bill 121. What is going to happen to the quality of life of the people of Ontario as a result of Bill 121? I look forward to the public hearings taking place. I look forward to debating all of these issues at the committee and hearing the concerns of the people of Ontario, the problems Bill 121 and Bill 4 have caused and that Bill 121 will cause. I look forward to that and reporting that information back to this House.

1850

Hon Mr Cooke: First of all I want to say that while I totally disagree with the approach taken by the Housing critic for the Conservative Party, I certainly will recognize he has done a lot of work on the preparation of his comments today, and a lot of research. I am not really sure, based on the kinds of comments the critic and some of his colleagues have made on this legislation and other legislation, exactly where the Conservative Party is going in 1991.

Whether it is employment equity, the principle of pay equity or things like support and custody legislation to protect families, or some of the comments they have made on social assistance benefits for families in this province, I do not know what happened to the old days when there was the Davis approach, where they were Progressive Conservatives, where there was an approach and an appeal to urban Ontario. I think it is very clear that the Conservative Party has made a strategic decision in this province to write off urban Ontario and isolate itself to try to polarize the province. Based on the speech the critic made today, I tell members they are really going in the wrong direction for the people of this province.

On the language that is used, can members imagine coming in here and talking about housing and saying that Thatcher is a model, and that is supposed to be modern 1990? I think there are only a few words to describe the direction of the Conservative Party: "extreme" and "fringe." That is exactly where the Conservative Party is clearly going. Members are going to hear that more and more often because it is clear it is their approach. It is a fringe party in Ontario. Its policies show it.

Mr Tilson: I would like to thank the Minister of Housing for his kind comments. I think housing is no different from a number of other policies this government is embarking upon. Whether it is the deficit, I think the government has seen—and if it has not seen, it will be seeing very shortly—that the people of Ontario do not like the high spending it is getting into. They believe it cannot literally take over housing, long-term care, day care and insurance. It simply cannot do everything. The taxpayers will not stand for it and they will turf them out at the next election.

Ms Gigantes: I have not been able personally to sit through the comments of both critics opposite, though fortunately I have had the chance to take a look at the Instant Hansard of the remarks by the member for Eglinton on behalf of the Liberal Party. I did get a chance to hear the comments by the member for Dufferin-Peel. As I review the comments of both these members of the opposition, what strikes me, certainly on the part of the member for Dufferin-Peel, is a total lack of understanding of how we got to the point where Bill 121 is being put forward very proudly by this government.

It was in fact the Conservative Party of Ontario, under the leadership of William Davis—I must say with the firm opposition leadership of Stephen Lewis and inspired by my predecessor representing the riding of Ottawa Centre, Michael Cassidy—which brought in the first rent review legislation in this province. It was brought forward during a period of minority government precisely because it had

become clear by 1975 that the private rental market, unless we had some kind of regulation through public office, was not going to permit people to have affordable rental accommodation in this province.

It was the Conservatives who introduced the legislation to meet that problem; again, as I say, guided and inspired by our party. It was the Conservatives who recognized that the problem had to be dealt with, that we were facing in the mid-1970s a situation where people were undergoing economic eviction, where there were devastating effects happening in the middle of our large urban centres. People who had been able to find affordable rental housing in our large cities were no longer able to live in the centre of these cities with the trend of the increase in rents going on in that period.

The legislation that was brought in during that time was not bad legislation. It could have been better, but I will give this to the Conservative Party: The legislation we had in those days was better than the legislation we got under the Liberal government, which was supposed to be a reform government, in 1985. It actually worked better. But the problems continued. I speak from a very personal sense of what those problems are and have been over the last decade and a half.

In the riding I have the honour of representing right now, Ottawa Centre, 69% of the households are rental households. For the overwhelming majority of households in Ottawa Centre, what happens with rents is of critical importance to how people can live their lives—whether families can afford to stay in the centre of the city where we have built up schools, we have built up parks, we have sanitary sewers, we have water supply and we have roads, or whether they are going to be driven by high rents out into the outer fringes of suburbia where—guess what?—they will need schools, they will need parks, they will need sewer systems, they will need a water supply, they will need transportation to the city core for their work. We cannot allow the private market to make those decisions for us without asking ourselves what the public responsibility is for the shape of the cities that we see in the future of this province.

I put it to the member for Dufferin-Peel that had we not had rent control and rent review in the past—not as good as what we are proposing now—had we not had the systems we had in the past, we would have seen even more drastic effects in our major urban centres.

I also want to point out to that member that when we talk about rent control, we can see a direct link to other matters such as the environment. If we have people living where they work, we do not have people having to use cars to get to their place of employment. If we drive families way out to the urban fringe, the suburban fringe, and to small towns around major centres—that is what the effect of unregulated rent is—we are, without any shadow of a doubt, injuring our environment.

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If we take planning and the environment seriously, if we say we want the cities we have to grow and develop in ways that make sense for people and for the environment, we simply have to accept the fact, which the member for

Dufferin-Peel quite clearly does not, that there has to be good regulation of rents. There is no way around it. It is an elemental part of our responsibility at the provincial level.

The city I come from is the fourth-largest municipality in Canada. The Ottawa-Carleton region, depending on where you cut off the fringe, can be judged to be anywhere up to 600,000 people. In that whole area what happens with rent review and the quality of the system we have for regulating rents makes an enormous difference to the quality of life of people. It will inevitably also make an enormous difference to the quality of our urban life, to the quality of our environment in the larger sense, over the years to come.

I am very proud of this legislation. I am speaking to it in principle on second reading. I know the minister and his staff, both within the bureaucracy and his personal staff, have worked exceedingly hard talking to landlords and tenants, consulting with municipalities, talking to financiers. This legislation is not perfect from the point of view of the majority of the households I represent in Ottawa Centre, because for my taste and for their taste and for their style of life and quality of life, I would actually like to see a lower cap. But while I would like to see this and that, I know this is not a bad settlement on behalf of tenants.

Tenants to whom I have talked in and around the area I come from are feeling pretty satisfied. They can tell now what the basis for the rent is going to be. They know there are not going to be huge increases such as they have seen in the past, particularly in the last five years under the Liberal regime. I think they feel on the whole that the proposal this legislation represents is a fair one.

I believe that to be true, and that is why I am very proud to rise in support of this bill. I know the tenants from Ottawa-Carleton will participate vigorously, vocally and with great goodwill in the discussions that go on in committee.

Mr Tilson: The member says there are a large number of tenants in her riding, and I understand that there are a number of ridings on all sides, of all parties, that have a large number of tenants. I think the member is forgetting why we are raising these issues, why I spent so much time dealing with the problems in New York, in Sweden, in England and in all the various American cities, the problems of the deteriorating quality of life. The quality of life has deteriorated in those jurisdictions to such a great extent that they are now slums and no rent review legislation will stop the creation of those slums.

The member seems to ignore that factor. She and other members of her party have refused to deal with the whole subject of the fact that there are many, many tenants in this province who cannot afford any increases, and at the same time their legislation is benefiting the rich. There is a whole slew of tenants in this province who are well-off and are making a lot of money and simply do not need their rents to be frozen. But what the government is doing is freezing their rents and the rich are getting richer and the poor are getting poorer.

Ms Gigantes: I will be very brief. The member for Dufferin-Peel talks as if we have had no experience in this province. Let me point out to him that we have had 16 years

of experience in this province and that one of the reasons we have affordable housing in our downtowns across this province is that we have had 16 years' experience with rent review. I will say to him again that without that, we would have a kind of economic apartheid in our cities which has disastrous planning consequences, both social and economic. We would drive every person who needs an affordable rental housing unit out of the centres of the cities. If he is willing to contemplate that, fine.

I would also point out to him—it was drawn to my attention by the Minister of Housing—that Detroit is a city with no rent controls. Is he going to tell us Detroit has no slums? All the problems of low vacancy rates exist in British Columbia, where there has not been rent review for years.

Somehow members such as the member for Dufferin-Peel and the people he speaks for tend to confuse the difficulties which have existed in the housing market—the price of land, inflation, interest rates, all these things—with the regulation system we have had to use and I know we will have to continue to use on behalf of those people who need affordable rental housing in this province. I am quite proud of and pleased with the bill the minister has brought forward here.

Mr Curling: This is almost déjà vu in some respects for me. I first want to compliment the minister. As I said to him when he was appointed, the dear Premier likes him tremendously for his ability or it is the kiss of death in the sense of taking on the Housing portfolio. It is a very difficult portfolio. I think, too, he said to me that he looked forward to dealing with a portfolio with a lot of challenges.

As I see him standing defending the portfolio, as I have said, in my days of walking into this House and having this vast portfolio to defend come back to me. I can recall the member—he was also a member at the time—and his colleagues throwing all the darts and my realizing the challenges I had ahead.

We came out, as members can recall, with this great Bill 51. What we found, first, as the government of the day, was this confrontational and adversarial attitude of bickering and fighting between landlords and tenants. To find a compromise bill that would satisfy landlords and tenants, I am sure, feels like someone walking on water, doing the impossible, because each has its own interests so entrenched for its needs, and rightfully so. Many tenants were being subjected to rather abusive treatment by some landlords—gouging and living in some very awful situations. When we discussed this more, we found out, too, that the landlords themselves had been subject to some rather abusive situations by some awful tenants. So to come to that balance was rather difficult.

We felt, of course, that the only way to do this was not to stand in this Legislature as those who had all the answers, but to get together with landlords and tenants to draft that bill and make recommendations to the government.

We were not the first ones talking about consultation. Neither were we the first ones to feel that bringing parties together—I hope the government side realized that too—or landlords and tenants together in what we call consultation is not sufficient; as members know, the recommendation

that comes forward should be listened to and administered in the proper way.

When we brought Bill 51 through—I say this because it has a lot of bearing on Bill 121—sometimes the parties here cringe at the fact that all tenants agreed on that consultation and the recommendation, and all landlords agreed: the seven landlords and seven tenants. Some would say, of course, with the exception of one.

I recall that when we consulted with the Conservative Party its members were pretty nervous about it. They were forced to introduce rent control at the time. They did it for political reasons. They felt that the polls were not showing favourably for them and maybe they could get some tenants on side if they brought in rent control. What a hatchet job they did there.

Mrs Y. O'Neill: On a point of order, Mr Speaker: I do not think there is a quorum present.

The Deputy Speaker ordered the bells rung.

1913

Mr Curling: I know all the members hurried in here to hear the remarks and the bit of history of what the Conservative government of the day had done in regard to rent control. As I was saying, when they saw it was politically opportune for them to bring in rent control, hoping that it would carry them over the hill to win another election, they decided to bring in rent control. They really did a botched-up hatchet job on rent control. So what we faced in 1985 was this awful legislation to bring the post-1975 buildings into what we call rent review.

Mrs Y. O'Neill: On a point of order, Mr Speaker: I find it very offensive that members returned just for the count and have now gone to other responsibilities or entertainment. We are now one minute later without a quorum again. There is something wrong with this kind of discipline.

Interjections.

The Deputy Speaker: Order. There is a quorum.

Mr Curling: The importance of tenants and the importance of landlords ultimately is in the minds of Liberals too. When we were bringing in Bill 51 we always had a quorum in the House. It is the government's responsibility to have a quorum in the House, and it is not here.

However, I know they are quite literate people. I hope they will not only read my remarks, but also listen to the content and, I hope, the amendments to Bill 121, which needs quite a few amendments to it to make it more palatable to all those whom it will serve.

As I was saying before we were interrupted by the fact that there was no quorum in the House at the time, we used Bill 51 to bring everyone on side to understand what rent control or rent review was about and we renamed it, of course. "Rent review" took away the adversarial aspect of it.

I recall that the NDP, the government today, loved Bill 51 so well that it wrestled with it to find out how it could vote against it. I recall there was one gentleman, Dan McIntyre from Ottawa, who was on the committee. He was the only person who did not sign to make Bill 51 unanimous. He did a remarkable thing with those recommendations

that were brought forward. I would like the members, especially the members from Ottawa, to remember this. He said: "I did not sign the recommendation. I will not explain that to you in detail, but I will sign your copy, Mr Minister." Whenever there are members who would like an inspection of that bill and the recommendation, they may see it in my office, where all tenants signed that unanimously. Of course, one was pressured after a time not to sign the original, but signed mine.

The reason I said that is that it is very important that we take the politics and the adversarial aspect out of this game. When the minister himself was appointed and told me he had this challenge ahead of him and that he looked forward to amending Bill 51 to make it better, we on this side of the House, the Liberal side, felt it was okay. We never thought Bill 51 was perfect.

Then he had the open consultation process. He said nice words, inviting all the people to come forward for his consultation paper and have input. Of course my colleagues in the House have mentioned before and I have been mentioning it again—because I think one of the most appalling acts that has been done, one of the worst blows to democracy, one of the worst blows to the words "consultation" and "open government" which they have come to voice and mouth so well but have no action about; they usually talk the talk but they cannot walk the walk—is that when the practical aspect of it came, they fell down.

What did they do? My colleague the member for Oriole attended one of those open consultation meetings. They shut her out. She could not attend. I thought maybe my colleague, in her eagerness, had gone to the wrong meeting. Even now, if you ask members of the government of today what I am talking about, they say, "I don't know what you are talking about." I myself was appalled and could not believe that even my friend the member for Oriole was locked out. Maybe, as I said, she went to the wrong meeting.

I called to go to the meeting, went to the meeting. They opened the door for me nicely. I went in and sat down and wanted to participate but was told that I could not participate in this democratic open discussion of consultation. Imagine that. This present government, which spoke about openness and hearing from the people, refused to let those who were elected by the people even speak. That is democracy for them. Maybe that is socialism for them. I do not know, but it was a new twist.

1920

The consultation paper process started off very badly. Here we are now, we have Bill 121 and while we were in caucus we debated and discussed it and we think we made a good attempt to make this amendment to it. But there are so many flaws in that bill. Our able critic the member for Eglinton, who is one of the most dedicated individuals, one of the most knowledgeable persons in this House about housing, went through that in detail in caucus and pointed out the flaws, and we saw them readily.

We hope that muzzling those people will not take place in the consultation process when people come forward and amendment time comes about. We also hope the time will come, when we ask for and make recommendations, that

this government will listen and realize we want to take the partisan game out of it so we can have a good rent review.

Even the name, which reverted to "rent control," started this adversarial fighting aspect of, "We're going to put controls on this"—not a review, balancing both sides of it, taking into consideration the landlord and the tenant, because both interests must be protected. That is what government is about: protecting all people, not just coming in to defend one area or one interest group. In so doing, Bill 121 does not in any way protect tenants or landlords. It hurts both landlords and tenants. It does not provide funds that are needed to complete the necessary repairs on the province's aging rental housing.

When I was the Minister of Housing I toured many buildings, a number of buildings, and have seen the underground garages that will take thousands, even millions, of dollars to bring them back to proper standards. We will be losing some of that housing stock. This government did not do that. The opposition in those days spoke very highly about that. They said, "We must address those issues."

My disappointment in this party is that over the years it has considered itself an advocate for the underdog or the ordinary people and said it understood those issues. It is an advocate more than anyone else. Listening to this governing party when it was in opposition I thought it understood these issues. I am extremely disappointed and the people are disappointed that it has no depth and no knowledge of the housing situation in this province. It does not listen so it can have a better bill coming forward to serve all people.

I just want to talk a little about properly maintaining buildings. We wrestled with that in 1986 when we were the government of the day. We spoke to the municipalities about enforcement of those work orders that were given out to buildings needing repairs. One of the things we found was that while landlords were given work orders to repair those buildings, they did not carry them out. There was no enforcement. The municipalities tell us they are prepared to see that maintenance is carried out, provided the province will give sufficient funds not only to relay and enforce those repairs to be done, but to raise the standard of the building and make sure that people get what are paying for.

I would ask the government members, while they are going about debating this bill and looking for consultation, that they take into consideration that the enforcement aspect of it is extremely important. It needs people and it needs money. I strongly believe we cannot look in the pockets of people to say that we have to bring rents down to find the needs of individuals.

I think it is a matter of product. On any product you buy in the shop, none of the shopkeepers say to you: "Let me see what salary you make. Let me see if you can afford it." The product itself must be a value that you pay for. Some of that product of rental accommodation that we have is extraordinarily high and some is way below the rent someone should pay.

I will warn the government of the day. I gather the Conservatives have asked that maybe we should give cash to people so they will pay their rental accommodation, for those who cannot afford it. What will happen then is that

eventually the rents will go up and the government of the day will continue giving people money while the rents go up. It will give more money and the rents will go up, but they will be screaming, of course, that we cannot tax the people. Where are we going to get the money to do that?

We have to take into consideration that is not the way to do that. That was not a Liberal philosophy. We believe in rent review. We believe the product of rental accommodation must be fair, and if the building is to deliver proper elevators and a proper garage, these things must work and people must get the value for their money from the landlord.

I say to this government, as it brings about the final drafting of this bill, that we will listen carefully, that we should take out the adversarial aspect of it, take out the confrontation that goes on, take out the aspect that it is only representing tenants in this, so that it is representing landlords and tenants.

I recall that at one of the consultation processes in 1986, I had put landlords and tenants together in Niagara Falls for a weekend to come up with resolutions. A remarkable thing happened. As the landlords listened to tenants, to their woes and the slum conditions some had to live under, some landlords literally cried, realizing what they had subjected some of the tenants. They said: "This must stop. Some of the bad landlords are making it worse." It was an environment for them to discuss in an amicable way.

1930

When the landlords spoke about the problems they had with terrible tenants in their buildings, with people who ran away with three months' rent and did not pay, and they had to mortgage their home and put a lot of money out in order to just keep their investment going, some of the tenants understood the conditions under which some landlords had to operate. They fully agreed that we must come up with a system that is fair for landlords and fair for tenants. In those days, we called it a delicate balance.

We also realize that government must be very active in assisting to build affordable housing, because affordability in this province for many people far outstretches the pockets of people who would like to live comfortably, in the cost of labour and the cost of land. Unless some of the developers get some assistance to build affordable housing, it will be far out of the reach of those who would like to live in an environment that is clean in providing for their families.

There is a myth that we feel all tenants are temporary people on their way to ownership. This is one of the greatest myths we must destroy, because there are people who rent accommodation and that will be their way of life for ever. There is nothing wrong about renting. It is like people leasing cars instead of buying cars.

People will continue to rent without looking forward to buying a home. Of course the dream we hear about is this dream of owning one's home. Not everyone has the same dream at all. Everyone has his priority. Each person's priorities are different. Therefore the protection of tenants is extremely important. It is important because that is the way they want to live and government is about that—to protect all, landlords and tenants.

There is the aspect of that as we go about bashing landlords and think that there are bad people out there who are landlords; there are excellent landlords.

I remember going to a meeting in Flemington Park with a lot of tenants. I was rather concerned about going to this meeting that afternoon because I knew how upset many of the tenants were and the conditions they were living in. When I got there, I am sure there were about 250 people who were tenants. I was prepared, properly briefed by the ministry about the questions that might come about. As I had been around the province hearing many of the concerns, I decided I had most of the answers and hopefully I could respond to the questions they were putting forward.

A remarkable thing happened. The tenants talked about their landlord, what a wonderful individual he was, how he looked after their concerns, how he made sure things were working, or he understood some of the social problems they were having because he found that if these people were living in this building, they were all one family, and what they paid for they should get.

There are many landlords who will make sure that they squeeze every penny out of that tenant, who will make sure they make as much profit as they can out of the real agony of those tenants, but there are other landlords who are good ones.

I feel a government must protect both. I have a peculiar feeling, a gut feeling here, as the minister and his colleagues opposite speak on behalf of this bill, that they are defending tenants and that it is a tenant issue. If they take that attitude, we are back to square one, where we are pitting landlords against tenants or tenants against landlords and the matter will be worse. The matter will be a fact that they feel tenants have all the rights and landlords have no rights. Both landlords and tenants have rights.

The minister has made this bill too complex. He criticized Bill 51 as a complex thing that no one could understand. I recall—and my colleague the member for Ottawa Centre was in the House in those days—when they were talking about BOCI and RCCI. Those were the formula used to calculate the rental guideline. As a new minister, I remember trying to explain in a minute and a half what the building operating cost index was all about and how we applied the residential complex cost index and got this guideline. They said it was too complex, no one would understand that. Although the recommendation came from both landlords and tenants, they said it was too complex.

I agree it was a rather complex formula, but it was a fair formula. Of course as time went on, it gave provisions for amendments, and this is why Bill 121 has come about today. We knew that after a time it would be amended to fit the time.

We had built in there, at the recommendation of the consultation group, an appeal process that, should tenants and landlords not like the administrative process, they could take it to the Rent Review Hearings Board, comprising people who have been appointed to look objectively and take it out of the rigid administrative process so that people feel they have a fair hearing. I have learned, alas, that the minister is going to take that away and there will

be no appeal process any more. What is said by the bureaucrats, what is laid down by the bureaucrats of the time is it—no appeal. I do recall how active the NDP was about having an appeal process put in place. Now, lo and behold, the power of governing comes to them and they have wiped out the appeal process.

I ask the minister to take a second look, a third look, a fourth look at that. It is extremely important. As the purging goes on at the rent review board, they have rather qualified people there who have lived with Bill 51, who have seen some of the flaws but know some of its strengths and know that the minister is walking down the wrong way. If he feels there are Liberal appointments on that board, he should know that the Premier of the day, David Peterson, decided not to put the political process into it, and we found excellent people from the NDP, excellent people from the Tories and of course some people from the Liberals to put on that board.

Now I gather the vendetta is out that, “We shall scrap it,” but the minister should keep the process in mind. That appeal process served an extremely important role, and by taking that away, he is taking away a democratic process that had a lot of consultation and a lot of thinking go into it. Just to feel that power has come to them, they will wipe it away.

The minister does have excellent people as civil servants over at the Ministry of Housing. I worked with them for two and a half years and they worked pretty hard assisting us in writing good policies. Regardless of anyone's intellect, one has to have a vision. The civil servants ask all members opposite to have that vision, that leadership which is so lacking in the government of today; no vision, no thought that they have carried through from the beginning to the end. Bill 4 was like that, hurriedly put in place so that they would seem to be doing something. It was so bad that they decided to put this green paper through. They decided to hurry through Bill 121 so that they would seem to be doing something. But there is hope because of the process where we have opposition members on this side who are strong advocates for tenants and strong advocates for landlords. They serve the purpose of bringing about a good rent review.

1940

We are not fooled by the fact that the government calls it rent control, not at all. They can call it what they may. It is a review process, and that is what they are doing. They are reviewing Bill 51, and this is Bill 121, and it will be reviewed again. So whether they want to call it rent control or not does not bother us over on this side, but let us be very careful; let us be diligent about the fact, when this bill comes through, that it has that balance and is not one of those that seems to be vindictive by wiping out the appeal process and some of things that have played an important role in bringing about a rent review process that today covers all buildings.

Sure, the government said that the small landlords or the small complexes were left out of the process. We recognize that. We debated that and said something should be done. But now we have two guidelines, one for small buildings and one for tall buildings—and the government

said it is much simpler. I cannot understand that process. I tried to look at it very carefully. I asked the expert, the honourable member for Eglinton, because she has a full knowledge of what they are not doing in the government. What they should be doing is having somebody advising how we can correct this bill. As I said, I pray that they will listen so that we can bring about a sensible bill to protect landlords and to protect tenants.

Earlier on, I spoke about the conditions of the stock. You may not know, Mr Speaker, that 60% of the stock in this province is over 20 years old. What that means is there is a lot of maintenance to be done. Even with this wonderful building here, the Legislature—I sometimes think it could be turned into affordable housing—the government is wrestling with over \$100-million worth of restructuring to be done. We have to find the money from somewhere in order to do that, so it will of course be coming from the taxpayers to pay for that, because you, Mr Speaker, being the landlord here, realize that the tenants may get rather restless if it leaks and we are not properly air-conditioned.

While you are thinking very much about that, you go to the Treasurer or the Premier, and he may say to you that he does not have the money. The only way you can get the money is to tax the people of the province more, so that you, the landlord, will be able to bring about the necessary repairs so that the tenants here can be happier, because we were elected to serve the people well.

The landlords out there, with their buildings too that are in bad shape because of age, have to start thinking that they will need, not \$100 million like here, but about \$7 billion to \$11 billion to get the stock in shape again. Then they ask themselves, "Where do we get this money to do these repairs?" The minister should be listening very carefully and ask, "Yes, where will that money come from in order to repair these buildings?" Of course, built inside the formula is that of the rent. There are moneys there with which to administer maintenance and repairs. But is there \$7 billion or \$11 billion in that to bring it up to scratch or bring it up to a level? I say no, there is not sufficient money and we should really look at that maintenance cost.

From the research that has been done, it would take about 10 years to do this. We are not talking about going to the landlords or tenants to find \$7 billion to \$11 billion. That could be spread over time with a formula. I am telling the members that if those units are in good repair, tenants will be happier. They do not mind at all paying a bit more, I am sure, if the accommodations—

Mr Tilson: On a point of order, Mr Speaker: I do not believe there is a quorum.

The Speaker: I have a quorum. The member for Scarborough North may continue.

Mr Curling: As I was saying, one of the most important bills that has been discussed in this House is this rent-review/rent-control bill. I hope all the members will be here to participate and listen to some of the very small recommendations I am making, not so much recommendations but experience. I think housing is about people, the first issue, not buildings and bricks and garages that need repair. It is about where people live and enjoy spending

most of their time, where people retreat and have the comfort of their day running from hard work or whatever it would be. That is what housing is about. The first thing we should do is to make sure the parties that are involved get along. We as legislators have that important role to play regardless of government or the opposition.

During the regime of the Liberal government we built more non-profit housing and co-ops than any other government in this province. Of course the present government expounds on the fact that it believes in co-ops. I am glad it does so, because we built a lot and we would have continued building more and we support that. We need the non-profit housing to be built. We do not need the promises or the type of rhetoric we have been hearing here.

The private sector builds for a certain market; we know that. They are into this game, if you want to call it that, to make money. While the government may be uncomfortable with the fact that landlords are in here to make money from their investment, it must accept that. The government must accept that. It is not a bad word, "for profit." Of course we do not want this gouging to go on at any level. As I said, tenants themselves must get value for their money, which they pay for.

1950

I noticed—and I spoke to the minister about this and hope this has changed—when this government came in, some of the attitudes of the non-profit groups that feel their government is now in power. I have received many complaints in and around my riding of people in co-ops. Some people are being pushed out and feel they are not a part of the game. When I spoke to the minister about that, he quickly told me he does not support that kind of attitude and I commend him for that.

Non-profit housing is not built for partisans of certain parties but for all people in need. It will be a sad day if we start building accommodations and channelling people who support certain parties into those houses. It would just defeat what it is all about. Non-profit housing is something for all people, not partisans who join what party.

While this government may think this is outrageous, I raise this not on a partisan level, but because I see signs that could cause damage to all of us here. While the minister may feel it is a rather silly thing to raise, I tell him it is extremely important that people feel there are cliques within non-profit housing and that it is a club itself. It is not a club.

We know and have seen that even many of the non-profit groups themselves would have their own waiting lists. It is not the NDP that causes that. We can see this kind of élitism developing. I am saying it will defeat that purpose, because non-profit serves an extremely important role regardless. Some of the things I may say this government does not like to hear. While the minister may feel that is not accurate, I am just relating to him issues that come to me in my constituency. I can give him names for all that if he wants. I share that experience with him and he can use that information to the best of his ability.

Of course, when I was a minister that could exist too. Maybe it did. I am saying that whether it existed in the regime of the Liberal government, it exists in the time of

the NDP that feels within its time it cannot exist, and it could exist in the time of the Conservative government. It is bad. It is peculiar because I report as one of the advocates for concern in certain areas. The minister may feel I am sick. I am sick about what may happen and hope this will not perpetuate and destroy the efforts we are trying to make here in protecting landlords and tenants in private investment accommodation and in the non-profit, or we could have problems in both areas.

I say also that it existed, in my regime and my time as a minister, that some of the non-profit homes were in awful shape and needed improvement. Some of the areas where people live in the non-profit are areas where people are refusing to go, although they are in desperate need. The safety of these people is important. As I said, while we look at controlling and improving the rental stock in every environment in the private sector, we must take a serious look at government-subsidized housing because some of those units, I say again—in my time, in the time of ministers who have come afterward and now—were and are in poor shape and need to be improved.

We in this province are the second-largest landlord in North America. We own a lot of property. We, the people, the government, and the NDP government of this province, are the second-largest landlord. While the government is responsible for all those units, it should set an example there. I look forward to improvement in that area.

In summary, I will say, let us not be adversarial and confrontational about this bill. Let this bill reflect a balance of representation of landlords and tenants. Let us show some leadership, that we can do so without jeopardizing the interests of either party. Let us be open, not narrow-minded and undemocratic, so that we allow all those to make their presentation when we go public, so that people will come in and give their views.

Let us hope this government will listen not for listening's sake but to take the suggestions I have given to it and utilize them. When Bill 151 came forward, we had no qualms at all. We will not be playing the same type of games that we played when Bill 151 came about, where we get to some of the tenants and say, "Don't support this." No, we feel that the tenants know best.

Let us put a bill in that will not only reflect Toronto. Let us put a bill in that reflects all of Ontario and is sensitive to all, because some areas I am quite sure will not show great interest in Bill 121 as will Toronto, Ottawa, London and areas like that. Government is there to protect all people. We must make sure we are not seen as having only interest groups to protect—just those interest groups that gravitate to the NDP. They are looking to the government with high expectations.

We have seen the letdown of people who had expected more. We have seen people who expected a government to understand what rental accommodation was all about. We have seen, as I said, that Bill 4 was a hurried process. I ask that Bill 121 not be hurried that way, that it be listened to, and that we have a province of rental stock that people are proud to live in and tenants will want to invest in. Let's not go about insulting investors and landlords. Let's not feel

that tenants are the only ones to be protected in this process, but all.

I am concerned, of course, that at the end of the day both parties—landlords and tenants—will not be protected. I have hope though. I have known many of the members over there, although some of the things they would not like to hear. They have to listen. The fact is that it will come home to them. Many of them are landlords, and we hope not slum landlords, heaven forbid, because they should understand the problems of tenants. Over here, of course, some are landlords. I hope that we can set the example.

2000

But I say there is hope. Hope lies in the fact that members on this side will give the government good suggestions. The problem I have is, will they be listened to and carried out, or will they just be feeling they are above it all, that they know it all.

Interjection.

Mr Curling: Of course, we listened to the Conservatives about rent review and we did what should be done. And we listened too, in the days of the accord—of course the NDP applauded the accord, the things we did. The fact is we moved a bill through that reflected both landlords and tenants.

I said I am very hopeful that we will see a bill that is fair to landlords and tenants, and I look forward to the days of open consultation and debate.

Mr Tilson: I must confess it has been an exciting time listening to the member for Eglinton and the member for Scarborough North, listening to whether they are for the legislation or whether they are against the legislation. I have listened with great interest. I suppose a lot of it depends on where you sit or where you stand, or whatever that expression is.

One of the issues no one has raised at this point is employment: the employment losses that have occurred as a result of Bill 4 and the anticipated losses that are coming as a result of Bill 121. Certainly it is becoming more and more clear that no work is under way with respect to capital renovations around this province. From all indications it is very unlikely, as long as Bill 4 is in place and Bill 121 is being debated, that any substantial repairs will be made in this province.

This means job losses are continuing in the middle of a recession. So people who are out of work as a result of Bill 4 and who are continuing to get out of work as a result of the uncertainty of Bill 121 have long since exhausted their unemployment insurance and are now on welfare rolls.

Companies of course are teetering as a result of the uncertainty of Bill 4, and may collapse as a result of Bill 121. So I challenge the member for Scarborough North, in his comments in response, as to how he feels that this legislation, if he is indeed supporting this legislation, will deal with the unemployment crisis that has been caused by Bill 4 and now Bill 121.

Hon Mr Cooke: I do not know if I will take the whole two minutes, but when some Liberals speak, this is what brings the Tories and the New Democrats together. At least

the Tory party is straight up front. They put their position forward and we do too.

I challenge members of the Legislature and anyone who is watching this on TV to get the Hansard for Monday 24 June in the evening and review the speech of the member for Scarborough North. Because if anyone can comprehend what his position is on this bill after listening to that speech, then I congratulate them—because he did not say anything.

But he did say one thing about non-profits that I really take offence to. The former Minister of Housing said something in this House that about which, if we had wanted to, we could have got up on a point of privilege. To make some kind of an accusation that he hears that non-profits in his riding or some place are manipulating their waiting list and who is in non-profits along political lines—even though I have never thought much of the content of some of the speeches from the member, I thought—

Interjection.

Hon Mr Cooke: Hey, wait a minute.

Mr Curling: On a point of order, Mr Speaker: I did not say that they were manipulating the waiting lists. I did not say that, and I would like the member to withdraw the fact that—

Interjections.

The Speaker: We are into a difference of opinion with respect to what was or was not said.

Hon Mr Cooke: However he worded it, and again I ask people to take a look at Hansard, he talked about waiting lists and he talked about politics and NDP membership. I really thought the member had a little bit more to him than that kind of thing. I really did not think that he of all people would do that. That just goes to show that you learn something new every night in this place. The member for Scarborough North has moved slightly down in my estimation in this place tonight.

The Speaker: Are there any other members who wish to participate?

The member for Scarborough North has up to two minutes to respond.

Mr Curling: I do not come in here and talk about rumours. As a matter of fact—

Mr White: Mr Speaker, I rose in my place.

The Speaker: I am sorry; somehow I missed the member for Durham Centre.

Mr White: I wish to continue from the minister's statement because, as I noticed, he lost a fair bit of time with the member opposite rising on a rather postured point of order.

The issue of the flip-flops that we have seen from the party opposite was extremely evident with Bill 4. At one stage in the proceedings they vote in favour of Bill 4 and at another stage they vote against it so that they will have the opportunity of showing landlords how strongly they have defended them, and another time show how strongly they have defended tenants. I am sure the same thing will occur here.

The minister's comments I think reflect very accurately the member for Scarborough North's point, which is simply that throughout the entirety of his speech he was all over the place. You could take bits of that to appeal to one group, bits to another, and in such a way appeal to all parts of the populace without actually offering the people of Ontario anything substantive, certainly without offering the tenants of this province anything substantial in terms of security.

This bill offers tenants the capacity to live in security in their homes, something which has not been present in this province for many years. I think that issue of security—those limits on increases, the issue of fairness for both parties—is crucial, an essential issue to our bill, something which we can stand proudly in support of.

Mrs Y. O'Neill: I just want to comment briefly, if I may. I find some of the remarks by the government members on the comments from the member for Scarborough North confusing, to say the least.

The member for Scarborough North suggested there should be a balance to this bill, that it should be non-confrontational. Certainly just in the very last remarks that were made—there seems to be always in the presentation of legislation, particularly on housing and indeed on many other items in this House, a confrontational attitude set up in every piece of legislation.

This party, the party that the member for Scarborough North and I represent, wants a balanced piece of legislation. I think that was mentioned well throughout his remarks.

The Speaker: The member for Scarborough North, with up to two minutes for his response.

Mr Curling: I am appalled. We are all honourable people in this House. I ask the minister any day to deny the fact that I approach him in the House and tell him that I come to know of situations where people have come to my constituency and complained in this nature—not rumours, facts—that people came to me and said that. To stand in this House and to say that I am speculating and I am doing all that—

I went across and spoke to the member because I did not believe in raising a question in the House, to make it in the public air, but to see if we could resolve this. When he implies that I went low by speculating and what have you, my advice is that when I share this with the member, it is to make a better bill, not to confront people with these issues and make it sort of personal.

I see the indication here is that the minister himself will not listen—

Hon Mr Cooke: On a point of privilege, Mr Speaker: I will be the first to admit here tonight that the member did speak to me about this a couple of months ago. I specifically said, I believe as a responsible person, that if the member had any specifics to bring to me, he should bring them to me and they would be investigated by the Minister of Housing.

To date, he has never come back and talked to me and never brought any specifics. I think it is outrageous that he can make these kinds of comments about manipulation of people in non-profits without bringing substantiated evidence

here tonight in order to have them properly investigated. It is outrageous and it really is cheap.

Interjections.

The Speaker: If I could have the attention of all members, including the Minister of Housing, obviously a contentious issue has been raised by the member for Scarborough North. I would ask members on all sides to temper their language as we attempt to debate the bill that is before the House.

2010

Mr Curling: I raised that point in order to say that we must have this balance. We must be careful because we are, as a government itself, the landlords who are responsible for non-profit housing. He has challenged me. I will give him names of the people. I approached the point so that we could clean up all this and make sure it does not happen. To imply here that I am just bringing gossip or innuendo is so irresponsible for a government minister. It is the same way this government has behaved: irresponsibly.

Mr Turnbull: Let me start out by saying where we do agree with the government. We share the concern that tenants have clean, safe, well-maintained and affordable housing. Where we differ is the way in which it is delivered.

Let's have a look at what socialism has done since it hit the rental housing industry.

We remember this document, this sham, called An Agenda for People. In it we are told there will be rent legislation brought in where there would be one increase per year based on inflation and there would be no extra bonuses for capital expenditures. It would be fair, it would be simple and it would avoid the bureaucracy that has frustrated both tenant and landlord. I would suggest that none of these objectives has been reached.

When the Premier spoke to the press the other day, he talked about the need for partnership. I cannot imagine how he believes this kind of legislation is consistent with partnership.

We know what terrible havoc Bill 70 and the budget have caused to the whole of the economic community in Ontario, and the fact that many companies are leaving the province or are not going to increase their investment during the mandate of this government. But the Premier says he needs partnership.

How does he engender partnership? Certainly not by bringing in legislation that is very one-sided.

We have seen that the Minister of Housing stated publicly that he is allergic to landlords. I have never heard a more outrageous statement by a minister, and I think he should publicly retract that statement.

The legislation is certainly allergic to rental accommodation. The legislation ignores those people who are paying 40%, 50% and even 60% of their income. The Conservative approach is to target those people in most need and make sure they have enough money to pay their rent. This legislation does nothing of the sort.

At the Bill 4 hearings, ministry officials gave evidence that the average amount of gross income expended on rent in this province is 17%. If we have a situation that the average is 17% of gross family income and yet we know

that many tenants in Metro and other places in the province are paying 50% and 60% of their income, then quite clearly in order to have a 17% average there must be people who are paying 9% or 10% of their income or even less. I urge the Minister of Housing to take a trip around some of the apartment buildings where there are Mercedes and other expensive cars parked in the garage. Is this the kind of legislation we want, legislation that protects the people who are already extremely well off? I suggest what we should be doing is applying the money we have in this province to help the truly needy.

I am alarmed that, more and more, this is a government that is taking away the meaning of the word "profit." It is being removed as being an evil word. Let me tell members, when the Premier talks about co-operation and the need for partnership, inevitably he must accept the need for profit, because industry, when it goes into investing money, is putting all of its own money in or is borrowing money on its own recognizance. They are not in partnership with the government at that time. It is only when you make a profit that you suddenly become a 50% partner of the government. It simply is not enough money to be able to build all of the affordable housing we need, unless we get the private sector involved. In a word, instead of having profit, we have only risk and penalty left. There is no incentive to invest. With this kind of legislation, we ensure that there will be no new multiple-density residential units.

Turning to the legislation itself, in reading it through I can only comment that it is complicated, confusing legislation. Indeed, it is poorly drafted. It is going to be a gold mine for accountants and lawyers. They should be throwing a party for the government, because they are going to get rich fighting all the mistakes in this legislation.

There are no definitions in this legislation for such basic terms as "neglect," "inadequate maintenance" or "necessary," as in eligible capital expenditure. It is unclear if in-suite capital expenditures are limited by type or not.

I would like to read an extract from a report that was put together by the prominent law firm of Gardiner, Roberts, which specializes in this type of legislation. They say:

"The bill would permit a rent increase based on in-suite capital expenditures which do not seem to be limited by type. However, to be eligible to claim an in-suite capital expenditure the landlord must have informed the tenant of the 'particulars in writing.' The bill does not define the particulars and, accordingly, a landlord runs the serious risk of the capital expenditure not being allowed if subsequently the particulars were found to be insufficient. A tenant must consent in writing pursuant to a prescribed form. An advanced determination is possible. If an advanced determination is obtained then the tenant's consent to the subsequent application is not necessary. Finally, neglect does not appear to be a ground of ineligibility."

We are going to need to go to court in order to understand what all of these terms are and get the definitions.

Let's talk about the failures in the legislation. It ignores the increases for things the landlord has no control over, such as insurance, salaries for maintenance workers and management costs. It ignores style and standards of obsolescence—out-of-date fixtures, for example. A tenant may

want to have a new kitchen or a bathroom designed for today's standards and yet he is stuck with a 20-year-old kitchen or bathroom. That would be defined as not being necessary.

2020

Turning to the situation of rent decreases, this is the first time in the history of Ontario rental legislation that a landlord's maximum base rent can be reduced as a result of a whole-building review application. An example of this would be for energy conservation. It is very expensive to retrofit a building to be more energy-efficient. Has the Minister of Energy, who I see is in the House at the moment, not spoken to the Minister of Housing? The maximum that is allowable here is the 3% increase for that retrofitting. There is no way that is going to cover the cost of retrofitting a building. It can lead to a potential operating cost decrease, which would then of course just simply mean the landlord's rent would be reduced. I ask the Minister of Energy, why on earth would a landlord pay more money than he can recover to make the building energy-efficient when the net effect is going to be that he not only loses money retrofitting it but he is going to be penalized by having his rent decreased?

Energy efficiency is something our party wholeheartedly supports the minister on, but we are not going to be able to achieve it unless we can pay for it. I wish I could say that some wonderful force was going to come down from the heavens and give us this money. It is not going to happen. If we are to achieve the energy goals we have in this province—we do not completely agree with how she is going to achieve them but nevertheless we applaud her for the fact that she does want to make Ontario energy-efficient—how is she going to pay for it? She is certainly not going to pay for it with this legislation. We have over one million households in this province living in rental accommodation which is in the private sector.

The legislation is just poorly written. The impact on mortgage renewals or decreases in rent is rather frightening. If there is a rental decrease possibility, does the Minister of Housing have any idea what this is going to mean when you go to a mortgage company and say you want to renew your mortgage? I recognize that most of the people across the aisle do not have large property holdings or have not been involved with the management of these things, but nevertheless they have to learn the reality of it. If you are going to have mortgages coming up, and they come up every single day of the week, you as a landlord have to be able to prove you can pay the mortgage. With this legislation and with it hanging over your head that you can have decreases, you may find it difficult to be able to replace the mortgage.

In the Bill 4 hearings I made a motion that we ask a representative of the Trust Companies Association of Canada to come forward and give us some expert testimony on what the implications of Bill 4 would be on mortgaging. The NDP denied us this application. They did not want the public scrutiny of an expert witness to come forward and tell us what would happen.

Let's talk about some of the ambiguity in the legislation. Once again, I will quote from Gardiner, Roberts:

"Most critically, in our opinion the bill contains a serious ambiguity that if enacted as drafted could cause every landlord to automatically lose two points from guideline where the rent increase sought is found to be justified by a capital expenditure. In this regard subsection 20(3) of the bill provides as follows:

"If a capital expenditure is claimed and allowed for the whole residential complex or an amount to be carried forward is allowed for the whole residential complex, the amount allowed in respect of the guideline for all of the rental units in the residential complex shall be reduced by 2%."

"On the other hand, subsection 21(2) of the bill states, 'The rent officer shall not order a maximum rent in an amount that increases the previous maximum rent by more than the sum of the guideline and 3%.'

"This latter subsection does not require guideline to be first reduced by 2%. The ambiguity needs to be addressed. As well, landlords may be required to prove they spent the 2% on capital."

Let's move on to the penalty for unrenovated buildings. We have at the moment a whole group of apartment buildings which have been renovated substantially in the last few years and have had the largest rent increases. Quite clearly, in fairness to the government, this is why it feels it needs legislation. They are concerned about those rent increases.

But the fact is that money was put into capital expenditures, and all rental controls that have ever existed in this province have always contemplated that major capital items should be paid for by way of rent increases.

Ms Gigantes: Marble hallways.

Mr Turnbull: There is somebody across the floor talking about marble floors. During the Bill 4 hearings, we had some testimony from—

Ms Gigantes: Marble floors.

Mr Turnbull: Maybe the former Minister of Health would like to pay attention and I will answer what she is saying.

During the Bill 4 hearings we had officials from the Ministry of Housing and we asked them about their definition of "luxury." It was a very fuzzy definition and they could not give us a precise definition, but they said that two thirds of all of the renovations in this province were of an essential nature. Where we had some rental increases of 50%, remember, two thirds of them were of an essential nature.

If the government wants to bring forward legislation where it says that there shall be no marble halls or walls, that is a different thing to what it is doing here where it is just holus-bolus bringing in legislation which is, quite frankly, a bonanza for landlords who have buildings which have substantially been renovated and the rents increased. For those other buildings where renovations are due it can mean ruin.

Within the legislation, the government has created two classes of buildings: those buildings which have up to six units and those buildings which are larger. If we are going to have guidelines like this, I would say it is probably sensible to have some differentiation between large and

small buildings because, quite clearly, you do need more money to renovate a small building than you do a large building because a roof costs a lot more on a per-unit basis to replace on a fourplex than on a 100-unit building.

The government has some sensitivity to the difference between large and small buildings, but there is no sensitivity between those buildings which have been substantially renovated and those which have not. In other words, if you have a draughty, inefficient building which still has low rents because this is tied to a percentage increase, the amount of money available to do renovations is going to be much smaller than the amount of money available to do renovations on a big, substantially renovated building.

I do not think you have to be a rocket scientist to figure out that there is something wrong there. It is going to be very easy for those buildings which have been substantially renovated to be able to afford, within these guidelines, to make out during the term of office of this government. However, it is going to be exceedingly difficult, if not impossible, for the majority of buildings which are unrenovated to have substantial renovations.

As was mentioned earlier by the Housing critic for the Liberal Party, you can spend as much as \$1 million on redoing an underground parking garage and it is not a luxury feature. It is not something which is optional. If you do not do it, the building will start crashing down on you. Big chunks of cement will delaminate some of the reinforcing bars and it will become structurally unsound. You cannot pay for it out of these guidelines. It is that simple. You cannot pay for it.

2030

Maybe this government will say, "Okay, we'll force you, Mr Landlord." If this government is honest with itself, if that is what it is going to do, it is confiscating property from landlords. If that is what its intention is, at least be intellectually honest and admit that is its intention, that it is going to drive down the value of all buildings and essentially have expropriation without compensation.

On the issue of chronically depressed rents, during the Bill 4 hearings we heard witnesses, and there was one particular one which struck me, where there was a landlady who was renting units in northern Ontario for \$50 a month. If this government applies its guidelines plus the renovation costs to it, I do not know how it thinks it is going to replace a roof, whether it is under six units or is more. Is it going to do a new roof one shingle at a time, one unit at a time? That is what it is talking about. I think what it is creating is the ultimate in non-profit housing, but it is not the idea that the landlord is to be providing that.

Once again turning to the Gardiner, Roberts report, they are saying, "Not unsurprisingly, the bill will create rent police with the power to enter with respect to alleged failures to comply with the act, orders to prescribe standards of maintenance and repair and to inspect and remove the records as evidence that the landlord has not complied with the act, an order or prescribed standard of maintenance and repair."

I am worried when we start creating a police state. We have protected tenants to the extent that we are saying we must give tenants 24 hours' written notice that the landlord

is going to enter. I suggest this government should think very seriously that it should at least extend the same kind of treatment to those people who have invested, in many cases, their life savings in providing housing.

Gardiner, Roberts goes on to say: "One supposes that these provisions of Bill 121 constitute the government's vision of paradise in the people's state. For the first time, Ontario tenants can apply for a reduction in rent (other than an abatement) and not just a reduction or backing out of a previously justified rent increase. Moreover, while an individual tenant, whether disgruntled, bona fide or an officious intermeddler, can trigger an application for rent reduction, a rent officer can turn that application into a whole-building (reduction) review if it is determined all tenants would be directly affected by the application. We suspect that this provision will be used liberally (no pun intended)."

In concluding, I would like to just once again reiterate that the Conservatives' plan as to how we would effect affordable, clean, safe housing in this province is by targeting those people who are in the most need, the people who are paying 40% or 50% of their income, who will not be helped under Bill 121, and making sure that they are helped because they need help.

All of the problems of our society can be traced back to the need of these people, the fact that we need proper education and education requires a suitable home environment for the children. We need enough food. We have to address this pressing problem. The Minister of Housing has, on several occasions, said to us that it cannot be afforded. I put it to this government that we cannot afford as a society to miss this important opportunity to help those people. Do not help the people who are driving Mercedes. Quite frankly, they can stand on their own two feet.

Bill 121 will not deliver the specified objectives and I would put it to the government that the minister should withdraw this legislation in the same way that most of Bill 70 was gutted and we see that the government is finally beginning to back off on the budget items: because it is bad policy and it will be ruinous to giving good, clean, affordable housing in this province.

Mr Carr: I rise just to add a couple of brief comments. I notice the Minister of Housing is still here and I just want to point out that the problem we have in this particular province is that I have some tenants in my area who are facing a very serious problem with some of the increases. This legislation is probably too late for the people of the Diplomat in the Burlington portion of my riding. They had increases of about 88%. For some of the people there, the seniors and so on who have been affected, what I would suggest we do is maybe take a look.

I notice the minister had a little bit of a debate with one of the other members about who was told what. I have sent a letter over within the last little while to him. What I would like to do is see if there is anything that can be done in these particular instances for some of the people who have come forward. I say to the minister, who is interested in helping out some of the groups in this province, that we will be looking for some additional help and support on this, because unfortunately what happened with some of

the other legislation that he brought in is that some of the people got missed.

When we try to make fairness, what we need to do is try to make it fair for all sides. There are some who are left out, for whatever reasons, when legislation is put together. Unfortunately sometimes it is the ones who are at the end of the scale, the ones who can least afford it, so I would say to the minister, in all fairness, that we will send over some information. I know his group has been looking at it, some of the Housing officials, and a lot of the situation has been tied up. They are going through case after case with this before the rent review board. If there is anything he can do to help in this particular situation, we will look for his support over the next little while.

Mr White: I want to pick up on one point that the member for York Mills made. His concern about the very needy, I am sure, is very genuine. However, it speaks to me of a very major issue, which I think our government is dealing with. This legislation does not speak to issues of homelessness. It speaks to the needs of a broad spectrum of our population. In terms of non-profit housing, social housing and a number of various areas, we have made significant investments in those areas and those are the kinds of programmatic addresses to the issues of homelessness that are important.

However, when the member refers to the people pulling up in their Mercedes, it reminds me very much of a couple of letters I have received from a major landlord in the Oshawa area. This particular landlord and his agent actually are not of the member's political persuasion. I believe this landlord has run against the former member for Oshawa on four or five different occasions at different levels and is of the same persuasion as the members of the official opposition. Regardless, they make the same point: They talked about all these very wealthy people in these apartment towers. Yet I have canvassed those towers. I spoke to a large portion of the tenants this man was talking about. These tenants were not rich. There were perhaps a few elderly retired people who were reasonably well off, but very few of those. If they were there, they simply did not answer the door. It strikes me as strange; we are talking about a situation as if these residual grants exist for some sort of strange group. We are talking about legislation for all of Ontario, where up to 50% of our population lives in apartment towers, in town houses, and are tenants.

2040

Mr Turnbull: The member for Durham West must not have been listening to what I was saying. I said that the Minister of Housing had his experts in during the Bill 4 hearings and we asked them what the average amount of rent was that was being paid in this province. They said the average amount of household income spent was 17%. Now I know people who are paying 40% and 50% and 60% of their income. Just basic mathematics tells you that if you have reasonably large numbers of people—in fact, one third of all the people in the province, by the Housing ministry's own definition—who cannot afford the rent they are paying now, in other words, it is 30% or more, the whole point is that when you have people who are paying

more than 30% of their income and yet you have an average of 17%, then it just stands to reason that a lot of people are paying 10%, 11% and 12%.

We are saying the government should address the people who are in need. That is the imperative. We cannot afford to subsidize everybody. There are many people who are paying mortgages on houses they are buying and they are paying 40% and 50%. Are you proposing that you now subsidize those people? There is not enough money to do this. We have to help those people who are in most need and we cannot do it under this legislation. The government is making no attempt to help these people and it is really amazing that it is not listening to the core message we are giving it, because it is just good sense. We want to help those most in need.

Mr Bisson: It is with pleasure that I have the opportunity to take about 10 minutes and go through a couple of parts of Bill 121 in regard to this whole issue.

Some of the issues that have been raised on the part of some of the members from the opposition have been somewhat interesting. One of them I would like to touch on in a little more depth than others is the whole question of how landlords are able to recoup the amount of money that they have in order to be able to work on their particular buildings.

What my parents did for a number of years is basically rent out buildings. I am fairly familiar with that whole system, having been in the business myself at one time. The whole idea of why a person collects rent on his rental unit is to be able to have the money not only to pay his mortgage but also to be able to do the maintenance on the building. That has been the whole idea of why we charge rents of our tenants. It is to pay for the mortgage on the building, as well as to keep the building up to snuff when it comes to the maintenance of it, and being able to turn somewhat of a profit so that we can afford to put some of that money aside to be able to do the work.

The problem I have with what some of the people are insinuating when they talk about the inability on the part of landlords to get money out of the rental units in order to do the work on maintenance is that I seem to have the impression that what they are saying is that you have to be able to recoup that money over a one- or two-year period within the rents. We know that is what has happened under the past rent review legislation.

What happened in a lot of cases is that a landlord would sometimes decide he needed work done that was legitimate to the building and decide that what he needed to do was come before the old legislation. He would say, "I have to do some work on my building. I have to fix the roof on the building. I have some windows I have got to change. I've got some creaky floors. I've got some hydro that needs to be changed," or whatever the question might be. He would come before the old legislation and he would ask to have increases above what the guidelines were, and in a lot of cases those were given. I think a lot of tenants who look out there and some of the landlords, if they look honestly, see that the rental increases they got were in some cases 20%, 30% and 40% for work that was done on their buildings.

Now the idea is that if you have a rental unit out there, as a good business person you take a portion of the money you collect in rent and you put that aside over a period of time in order to be able to do the work to your building. If anybody would come to me and say that the whole idea is that you can recoup the cost of maintaining your building over a two-year period, I would beg to wonder exactly what kind of mathematics or good business sense that is, because I think tenants pay a fair market rent. If I am in the community of Timmins or the community of Toronto or wherever I might be, and I am paying \$700 or \$800 to rent a two-bedroom apartment, I would expect that my landlord would take portions of my rent away to put that aside to be able to do the regular maintenance that has to be done to the building so that he is not faced, over the long term, with having to rebuild the whole thing all over again.

Ms Gigantes: And those are Timmins prices.

Mr Bisson: Those are Timmins prices, I might add. In Metro Toronto, as we know, the rents are higher.

But the idea is that this legislation says that nobody will have a rental increase above the guidelines unless there are situations that can be warranted in regard to the maintenance of the building. Then we put a cap on that and say that in no term can you go over that 3%. I think that is only fair, because I think landlords in the end—and most of them are very responsible business people—I think 90% of them understand that if you want to be able to do work on your building, it is something you plan for; it is not something you decide you are going to pay over a period of one, two or three years. It is something you plan for and you pay over a period of time.

The return on your investment on rental property is not just the money you get in the rent, it is the return you get and the equity you build in your building over a period of time.

If I go out and buy a four-unit apartment building and I pay \$250,000 or \$300,000 for it, I understand that I am not going to make all of that money back within one or two years. I understand that is long-term investment. The money I get from the rents within that particular unit is going to be able to pay down my mortgage over a period of time, normally 10, 15 or 20 years, depending on how much money we come in with when we buy the building. That is where I make my money back. We are basically investing, putting that money out for the future so that you can build equity within your building. That is what the whole rental business is about.

But to say we have to allow landlords to recoup the cost of major renovations over a short period of time is not only unfair to the tenants but also it is very unfair in regard to good business practices within this province.

The other thing I think tenants want—and I think it is the same thing as people who own their own homes want—is to be able to budget over a long term what it is going to cost them to live in a particular place over a period of time. If I move with my family into a unit and I am paying \$600 or \$800 a month for rent, whatever it might be, I expect that rent is not going to go through the roof. My wages are tied normally to the cost of living

through my collective agreement or through my employer—whatever the situation might be and how I get my wages—and I get 4%, 5% or 6%, depending, every year in increase in salary and I hope that my rent does not increase above that too much.

If I want to be able to get into a unit that is bigger, that is nicer, that has more and better things to offer my family and me, then I make that decision to go to a more expensive unit. But if I decide to stay in that one, one of the things I want to be assured of to a certain extent is that my rent is not going to go through the roof, that if I am paying \$800 this month, I hope that by next year I am not paying \$1,000 or \$1,200, that a reasonable rent increase might be up to \$850 or \$860, somewhere in that area.

That is basically what this legislation says. It says no tenant will have a rent increase more than the cost of living. The idea behind that is that most of our wages as people who work in this province—whether we are managers of business, civil servants of the government or we work within the private sector on the shop floor—normally our wages are tied to the cost of living. It is only fair that if my wages increase somewhere around the cost of living for next year, I would expect and hope that prices do not go up above that particular point because then you come to the chicken-and-egg syndrome.

If rents go up too much above the cost of living, it forces workers and managers and everybody else to go and ask for more money to make up that difference. That is purely inflationary. I think this bill accomplishes a couple of things on that particular point.

If you look back at the moratorium, the government decided at the time that the moratorium was necessary to give time to bring this legislation forward so we did not have landlords out there who would go out and try to raise the rents above what the guidelines would have allowed them with the old legislation.

Through that whole process of consultation, we were able to sit down with landlords, we were able to sit down with tenants and different people and members of the opposition who brought forward suggestions, as well as members of our own caucus, who brought forth suggestions of how good rent review legislation can be put forward for the people of this province, recognizing that there are two sides to the story.

For anybody to come before this Legislature to say there is only one side, I think would be wrong. We need to recognize the basic fact of what rent regulation is supposed to be about: it is to protect the tenants, to make sure that in the end the tenants are paying a fair market rent, that they are not being put in the situation where they are going to have to pay more money for rent than what they expect to, above the cost of living.

The other side of the story is that we also need to recognize that landlords have a stake in this. I think this legislation speaks to that. We allow landlords, in cases where their taxes go up, the water bill goes up or other items go up that are not in their control, to pass on some of that to their tenants. We recognize that.

Some landlords may argue they would want to have more, but we have to keep things within a balance. We

have to be able to say to the tenants who are sitting out there renting a unit that they are not going to have rents go up, as in the previous legislation, in some cases by 20%, 30% and 40%.

That is not to say that all landlords out there were doing bad business when it came to rent, but it did happen, and it forced this particular legislation in place by making sure that we protect those people out in the rental market, to make sure that their rents stay within an adequate level.

2050

With that, I would like to conclude my remarks. I promised in the beginning, and I like to keep my word, that I do not want to speak on for another 30 minutes, taking the time of other members. I want to recognize just a couple of points. Rent review legislation is about protecting the tenants, making sure the tenants do not have to pay rent too much above the cost of living, so that they are able to plan their budgets into the future. The other point is that if a landlord expects to be able to recoup the total cost of being able to do work on his building over a two- or three-year period of time, that is bad business on his part. If I go into business and I buy a rental unit, I expect that is a long-term investment. The equity that I build with my building over a period of time is where my money is made.

With that, I will let the members go back and will respond to any concerns they may have.

Mrs Caplan: I rise today to participate in this debate on Bill 121. I would like to begin by saying that my history in this province in the whole question of rent review began some time ago, in 1985, when I was a successful candidate in the riding of Oriole. In fact, we were debating rental policy, rent control, in 1981 when I was a candidate for the provincial Legislature. This is not a new issue.

In the election last summer, in 1990—I notice that my colleague opposite who just finished speaking, the member for Cochrane South, remembers that well. He remembers that during that election campaign of the summer of 1990, as a New Democratic candidate in the riding of Cochrane South, he was sending out literature. I read now from the Agenda for People, dated 18 August 1990. He and his colleagues said:

“New Democrats would bring in rent control. That means one increase a year based on inflation. There would be no extra bonuses to landlords for capital or financing costs. It’s simple, it’s fair, and it avoids the bureaucracy which has frustrated both tenants and small landlords.”

I found it interesting, as the member was speaking a few moments ago, to hear that he was not speaking about rent control; he was speaking about rent review, rental regulation. He was also talking about the goals and the purposes of this piece of legislation.

In my riding, Oriole, last summer this was a very important issue. Some 48% of my constituents live in rental accommodation. Because we debated this for quite some time during last summer and in previous elections, they know this is a complex and difficult issue. What we see before us today in Bill 121 represents a significant departure from what was promised by the New Democratic Party last summer. It is a significant departure from the

very simplistic approach of last summer. It is not simple. It is questioned by both landlords and tenants as to its fairness. It certainly does not avoid bureaucracy, which has frustrated both tenants and small landlords.

Hon Mr Cooke: Guidelines don’t supersede government policy.

Mrs Caplan: I can see that the Minister of Housing is quite defensive about this. This is an important and friendly debate and I would say to the minister that I did not support his policy of last summer. I argued very strenuously during that election campaign. I had quite a debate. We had all-candidates meetings where I said that what was being proposed by the NDP in that election campaign was not only unworkable, it was simplistic. In fact, it was not good housing policy and it was not in the interests of tenants in this province and certainly not in my constituency.

I can say that having served in this Legislature in 1985 when we debated the rent regulation bill, which was then known as Bill 51, we realized as we began with tenants and landlords discussing this very important, very emotional, very contentious and very complex and difficult policy, because this is a matter of public policy, that there were different interests that had to be balanced. How many times during the debate and the discussion on Bill 51 did we hear about that delicate balance of interests?

I know that if members were to look back in the Hansards of those days they would find me on record, as I was a member of that committee in 1986 looking at the legislation in depth. What we called for was the kind of ongoing review that would lead to the kind of changes in that legislation that would ensure that tenants were protected, that landlords had a fair rate of return, that buildings were well maintained, that tenants had stability and choice of accommodation, and that our aging stock of rental accommodation in this province was not only preserved and maintained but would afford tenants a decent place to live and a quality of life. We really wanted a system that was not too bureaucratic, but unfortunately any regulation framework brings with it bureaucracies just by its very nature of regulation.

But the one thing that I have heard consistently from tenants in my riding, from people generally interested in the policy issue around rent review, is that the people in this province and tenants want to know that they are getting value for their money and are being treated fairly. Tenants whose apartments are well maintained and who feel they are paying fairly for their accommodation are generally content with a rent review system that achieves those goals.

I was very proud today to be sitting in this House and hearing the remarks from the member for Eglinton, the very able Housing critic for our caucus, as she talked about the goals that she has, we have, and I think all members of this House have, when it comes to dealing with this important public policy issue. She talked about the need for stability for tenants. She talked about the need to be able to preserve our aging rental housing stock. That really also speaks to the whole issue of improved maintenance and appropriate maintenance for those people who want value

for their money in the rental market in this province. She spoke about the fact that in order to ensure we have a healthy investment climate in this province, investors need to feel that they are going to have a fair and reasonable rate of return. They need a process which is as unbureaucratic and as simplified as a regulatory regime can be.

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I would add to that, as I said before, that this legislation speaks to the interests of tenants who are today living in Ontario and living in rental accommodation, to landlords who own apartment buildings today and have an investment in this province, but it also speaks to the interests of our children and our grandchildren and those who will be moving to this province who will want the opportunity to rent an apartment, to live in rental accommodation that is not necessarily government-run and government-subsidized.

We are also speaking to the landlords, to the potential investors who will want to look at Ontario as a place to bring their capital for investment.

The question is, in principle, on second reading, can we support this bill?

My constituents in the riding of Oriole often ask about the legislative process. If I can, for the record, I would like to very clearly outline that process for my constituents and for any of those who happen to be watching this debate. I know there are many across the province who not only find question period a time of high theatre, but find the debates in this Legislature quite entertaining.

We all know that the process of first reading of a piece of legislation is automatic tabling. We know that this is when the government presents its proposal and its policy.

Second reading, which we are having today on Bill 121, affords us the opportunity to speak to the principles of that legislation. That is what we are doing this evening. We are also questioning some of the provisions in that legislation, voicing the concerns that we have and the concerns that we hope we will be able to hear from those people who have an interest in this legislation.

We hope, and we have heard from the Minister of Housing, that this legislation will be able to go out to committee for a full and extensive open public consultation so that people can come forward and have their say. I would point out to the minister how disappointed many of us were in the process around Bill 4, where many of those who wanted to be heard at public meetings were denied that opportunity. We hope the public hearing process following second reading on this piece of legislation will be an improvement over the process on Bill 4.

We know that during that committee hearing process there is an opportunity for amendments to be tabled by the government, for amendments to be proposed by the opposition members of that committee, and for suggestions for improvement to the legislation by those who come before the committee.

We also know that following second reading, following committee debate, the bill will come back to this House for discussion by the committee of the whole House. Here once again, if the government is so inclined, it can permit additional amendments to make this legislation achieve its goals and meet its principles. Hopefully, since we know

that nothing is ever perfect and nothing is ever really carved in stone—I often say that the only thing that is carved in stone here in this Legislature is the names of the members on the wall downstairs; everything else is subject to change and everything else is subject to the kind of amendment and open discussion that I would hope we would see during the process of this bill.

Following committee of the whole, a bill is proposed for third reading. Usually the debate on third reading is not as comprehensive as the debate on second reading. We also know that following third reading debate there is both royal assent and proclamation before the bill becomes law.

That is a lengthy process. It is one that allows the ideas that are put forward by the government to be fully examined. It is one that allows the government, if it will, to accept changes to its legislation that will be in the public interest.

I would point out to the Minister of Housing that in my opinion this is a modification of what now exists in a rent review process, and I will go through in a moment why I have come to that conclusion. But when we look at housing policy and closely examine rent regulation and the policies of rent review, we will all have the opportunity to participate in a very important public debate on the public policy issues that achieve that balance between the interests of tenants who need protection from unconscionable and unreasonable rent increases and the balance that will ensure that those who invest in this province are entitled to a fair and reasonable rate of return on their investment; that tenants today and tenants in the future will have a well-maintained place to live, as I have often said in this House, a decent place to raise their families, to have the kind of quality of life we all aspire to here in Ontario; that they will also have choice of accommodation, and that tenants in the future will have opportunities and choices. That is something I think tenants today in Ontario feel strongly about. They do not want to be forced to live in one place because they cannot move because there is no other place they can find to move to in their community if they are unhappy where they are.

I point out all of this because, having served on the Bill 51 committee, on the legislative committee that spoke about the delicate balance of interests and in the development of housing policy and rent review legislation, I know the reason nothing is ever carved in stone in this Legislature—except for the members' names on the wall downstairs—the reason we are debating this in this House today is because nothing is ever perfect.

Every piece of legislation passed in this House is open to constant scrutiny. We said at the time that Bill 51 was working its way through the cumbersome legislative process that it was not perfect. We called for an evaluation of that legislation to see if it was achieving its goals.

One of the things I found most interesting, over the past eight months since this new government took office, is not just the retreat from the election promises, which I believe has created a level of cynicism in this province that is unprecedented—and I have spoken about that several times in this House—

Interjections.

Mrs Caplan: I find again that the minister and members of his caucus become quite defensive when I mention cynicism. I say to them that in fact in their very own throne speech last fall they acknowledged a level of public cynicism.

When I travel this province and speak to people—and I visited many of the communities across this province; I was in Ottawa, Peterborough, recently Kingston and Barrie, Smiths Falls—I hear the same thing everywhere I go. What I am hearing right across this province, as I visit with the mayor and regional councillors in my capacity as critic for Municipal Affairs, is that they are very concerned. They are concerned because quite frankly they do not like any politicians very much.

They feel what they were told last summer by the now government, the then NDP, the now socialist government in Ontario, is very different from what they are seeing today. Those of us who argued against that policy—

Interjection.

Mrs Caplan: We said last summer that yes, there were many policies that required amendment in order to see that they achieved the objectives and goals we had established. But what I am hearing is a new level of cynicism that I think the government caucus should take very seriously.

I say to the members that the people in the riding of Oriole who believed what the NDP candidate had to say last summer are not only cynical; they are very disappointed. Even though I told them last summer that this policy on rent review was not good housing policy and they would see that if the NDP formed the government it would not bring that forward, the people believed it. Many people believed what they read in the Agenda for People last summer. They believed the NDP would bring in rent control; that that would mean one increase a year based on inflation; that that meant there would be no extra bonuses to landlords for capital or financing costs; that whatever was brought in under the rent control policy of an NDP socialist government would be simple and fair and that it would avoid the bureaucracy that had frustrated them since Bill 51 had become law.

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What we find is that Bill 121 in fact has many of the same goals and many of the same principles that we found in Bill 51. We find that this legislation includes an inflation-based annual guideline. It includes a rent registry system to help keep track of illegal rents. It has a system of appeal for those landlords who attempt to raise their rents above the guideline. The bill also contains maintenance standards, as did Bill 51.

We know that many landlords and many tenants reacted very strongly and very forcefully and very negatively to this piece of legislation when it was tabled for first reading. Some landlords are saying that Bill 121 hurts landlords because it does not provide them with the funds they need to complete needed repairs in the aging rental housing stock. Some tenants are saying Bill 121 is not good for tenants because it will not ensure that their buildings

are properly maintained and will leave them to face above-inflation rent increases over a number of years.

I know that of the tenants who voted NDP in the provincial election of last summer in the riding of Oriole, many are angry because this Bill 121 is not what the NDP under their leader, now Premier, and the NDP candidate in the riding of Oriole had promised in the election campaign of last summer. This is not “one increase based on inflation.”

We see a bill in which new buildings are exempted from this legislation for five years. Some tenants are asking why the New Democratic Party is creating one set of rules for tenants in existing buildings and then providing no protection for tenants in new buildings.

We have heard the minister say that the five-year exemption for new buildings is good because it will encourage more rental housing construction. He has also said that most tenants should not be concerned with the new-building exemption because these will likely be higher-priced units targeted to high-income earners.

If this last statement is correct, and I have no reason to believe that the minister is not correct in his assessment, the Minister of Housing's statement that the exemption will create more rental units is in fact a meaningless commitment. Not only will these units not be affordable, but we are finding in the province today, because of the construction of condominium units, many vacancies at the upper-end range of market cost in rental units. We all know of situations in our constituencies where condominium units are available for rent. They are very expensive and high-priced, and this provision does not seem to make a lot of sense if the minister's goal is to achieve more affordable housing units. We know that this will not do it.

We see that Bill 121 continues to use an annual guideline similar to the Liberal legislation, the Residential Rent Regulation Act, known as Bill 51. Now we see that there are two different numbers for landlords and tenants to be concerned with and also to be confused about.

We know that there will be one guideline, one number for large buildings and one for small buildings. This does nothing, I would point out, to simplify the process or make it less bureaucratic in any way. As I said before, in a rent review and regulation system you must have a bureaucracy to enforce it; but if the goal is to simplify matters, then this provision, while it may be helpful to tenants in small buildings of less than six units—it may be, but I have heard some question that—it adds to the complexity of an already very bureaucratic system. Simplification was clearly stated by the minister himself as one of the important goals of this legislation.

I know there are people scratching their heads and saying, “This doesn't make any sense,” and they will be looking very carefully at that provision as this piece of legislation continues through the legislative process. Two different annual guidelines will probably have a differential of less than one percentage point. That is a very minor adjustment, given the amount of confusion that it will likely cause. I would just point this out to the minister as one of the concerns that I know will be expressed during the hearing process.

We have heard over and over again in this House that some 65% of Ontario rental stock is more than 20 years old. We know that one of the goals of good housing policy is to maintain and preserve that rental stock, not only for the people who are living here today—that certainly is an important goal; as I said, we want people to have a clean and decent place to live, a building that is not falling down around their ears—but we also maintain that rental housing stock for people who will live there tomorrow and the day after, to give them the choice of rental housing in the future.

Preserving the stock we have is also extremely important because of the limited new supply of rental housing, rather than condominium, which is at the high end of the market. There has been some over the last few years. We started to see, particularly in centres like London and some of the urban centres on the periphery of Metropolitan Toronto—and even in my riding of Oriole, where we have substantial density, one of the highest in the world, actually, there was discussion around some additional housing to be built that would be considered to be rental. We know that this is unlikely, given the climate in Ontario today and given the concern that investors are showing in response, not only to this government's housing policy, but also to its fiscal and economic policy and its budget.

Business is very reluctant to invest in Ontario, and the chances of new rental supply in the province of Ontario in the foreseeable future is very, very slim. No matter what this legislation says, because of the fiscal policy of this government, because of the socialist policies of the NDP, because of its economic policies we will find that there will be virtually no new rental supply.

It will be extremely important for us to listen very carefully through the public hearings as we discuss the proposal for a cap on capital repairs, which is proposed under Bill 121. I know that when we debated Bill 4 in this legislature, there were a number of proposals and amendments that were not accepted by the government. Many of those proposals appear in this legislation in one form or another, adjusted in ways which are causing great concern among both the proponents and the opponents of this legislation.

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I know there will be a great deal of discussion around the cap provision. I believe it will become one of the most contentious issues in this legislation. That is why I believe it will be very important that the hearings on Bill 121 be held not only here in Metropolitan Toronto but across this province in different regions so that members of the public, landlords and tenants and those who have an interest in housing policy—municipal representatives, perhaps regional chairmen, regional councillors, mayors and others—will have an opportunity to appear in their own communities and let those who are on the committee hear what they think about this important proposal. We know it is important to hear what landlords and tenants have to say about the idea of having a cap, about how it should be implemented and what level it should be set at.

We know there are some significant changes in this legislation from what exists within the rent review system in Ontario. I personally believe that one of the more positive

features—and I would like to point that out right now—is the definition of necessary capital. The fact that there is a new definition which will clearly define what would be considered a luxury renovation, is an important feature of this bill, I think, and it is important to tenants. I know the frustration the tenants felt when they were faced with renovations they believed were absolutely unnecessary and luxurious, far beyond the point of benefiting anyone in the building. They felt that those renovations were simply used to jack up the rent.

I believe that is an important improvement in this legislation. It is also the kind of improvement that both landlords and tenants have advocated for some time. I believe there are many opportunities, when we discuss capital renovation, to listen very carefully so that we can ensure that this piece of legislation will have the right incentive. One of the concerns that tenants have is that there must be an incentive in the legislation for the landlord to maintain the building. If you do not have a situation where, before you can apply to rent review, your building is properly maintained, then many tenants worry that their building will deteriorate before their very eyes, that they will not be able to get the building maintained.

I have some examples in my riding of Oriole of buildings that are seriously run down. Those buildings may not yet qualify for a municipal building work-permit order to get them into shape, but anyone looking at those buildings can see they are in decline and in need of repair, and tenants worry that will happen to their buildings and that it will affect their quality of life, and they feel they are not getting value for money.

We know it is important that this legislation provide protection that is needed for tenants while still allowing landlords to make important and needed repairs. We want to see legislation that has that incentive to ensure that buildings are well maintained.

The maintenance and standards provisions of this legislation are of some concern because the minister's intention, I believe, is to ensure that basic standards of building maintenance are maintained to protect the health and safety of tenants. Now, I know that particular portion of the bill sounds very familiar to all members of the House, because it was debated at length during the discussions on Bill 4. I wish the minister had accepted that amendment under Bill 4, but I am pleased to see it in this piece of legislation.

This bill abolishes the Residential Rental Standards Board and in fact what it does in its place is it works in reviewing substantive outstanding work orders.

As I pointed out, one of the concerns is, sometimes buildings in need of repair may not have substantive work orders already in place. Tenants want to know what incentive there will be in this legislation to ensure that buildings are properly maintained.

As I said, it will be important for the committee in reviewing this legislation to examine whether the new maintenance provisions are workable—some have their doubts—whether they will indeed provide additional safety and security for tenants—some have their doubts—and whether they do not unfairly punish landlords for

minor standard infractions. That is a real concern and not only for tenants, because most tenants want to have a good relationship with their landlords. They do not want to constantly be at the municipality for work orders. They do not want to constantly have to go to court. They do not want to constantly have to go to rent review.

Part of the frustration of Bill 51 that we see repeated here in this legislation is that kind of requirement for an ongoing interchange, I guess is the word, with levels of government and bureaucracies. People want to know, if we are seeing changes in this legislation, if they will be better protected and able to have a better relationship with their landlords.

Certainly there have been a number of opportunities in this bill for discussions of what the formulas are. That is very complicated, and I know from our discussions on Bill 51, back in 1986, that often the actual formulas themselves and how they were arrived at were very confusing to many people.

I can say that there are a number of provisions in this bill which are eminently supportable in principle but which, when it comes down to the implementation provisions, cause some very grave concerns to a number of people and will require considerable study and analysis at committee.

I would point out that the exemptions under this legislation, the double guidelines, the caps, the restricted operating and capital cost increases as well as new maintenance enforcement provisions are all areas where landlords and tenants will have a lot to say, and I know the minister will want to hear what they have to say. I was a little disappointed this afternoon when he said he would not be present at all of the hearings this summer. I know he has confidence in his parliamentary assistant, but as the drafter of this legislation and the minister who takes carriage of this legislation, I know how important it is to tenants and landlords in this province that the minister be at those hearings to hear what they have to say and hear their presentations.

I know there will be many provisions tenants' groups will support and I think there are some provisions tenants' groups will oppose. I can tell members, I do not think there are going to be many provisions in this legislation that landlords will support, and part of that, I would point out to the minister, is an attitude problem. I want to tell him how disappointed I was, during the process of Bill 4, with some of the things that he said that were deliberately inflammatory.

I would point out that this is an opportunity for him to think twice before he says things such as that he is allergic to landlords. That does not help in the drafting of legislation that is supposed to be balanced in the public interest. That is the kind of message that says to investors in this province, "You're not welcome in the province of Ontario." That is the kind of message that speaks to government insensitivity, government arrogance and the kind of attitude from government that will say to investors, "Go look elsewhere."

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In this climate at this time, as we are hopefully starting to come out of the recession that we have been suffering from now for over a year, there is an opportunity for this government to send out the right messages.

Everything they say and everything they do will be scrutinized by those looking to invest in our province whether it is in the construction business or the service industries or manufacturing. Every utterance from ministers of the crown in this socialist government, this NDP government, sends out messages to potential investors in the province of Ontario. So I would urge the minister to be moderate and to calm down his rhetoric a little bit. He must remember that he is now a minister of the crown. He is no longer a petulant member of the opposition.

Many of us on this side of the House watched very carefully how the now Minister of Housing behaved in opposition. There are some days, quite frankly, when I know that he forgets himself and he thinks he is still in opposition. So I would urge him to be temperate in his responses; to be conciliatory; to try, as this piece of legislation goes through the process, to be open to ideas and suggestions; to seek always to balance those interests to find the delicate balance which is in the public interest, and to do that in a way which, quite frankly, was missing from Bill 4.

I hope we will never again see a situation in this province when a member of the provincial Legislature is barred from a meeting in her own riding. That was a serious mistake in judgement by the minister's parliamentary assistant. I would like to think that the minister would not have done that. He apologized in this House. I accepted his apology. But that is a signal and an attitude I think they must always be on guard to change and to send a message out to the tenants of this province that they are welcome, to the landlords of this province that they must be heard, and to all members of this Legislature that we have a responsibility to speak on matters of important public interest.

I want to sum up by saying that Bill 121 has been a long time in coming. I have done an analysis of this bill and I find it contains many of the same provisions, certainly many of the same goals, objectives and principles that we found in Bill 51. I find it has many of the amendments that were proposed by my colleague the Housing critic for the Ontario Liberal Party and our caucus.

I will also say that this piece of legislation as proposed today is not perfect. There are many aspects of it which cause great concern to both tenants and landlords across this province. I have tried, in the few minutes I have had in the second reading debate on Bill 121, to point out some of those. As this bill goes through the legislative process and completes second reading debate, goes out to committee for full public hearings, comes back into this House—and we know that it will because the NDP has a majority government and we know that it can determine what amendments it will accept—I would point out that to this point in time this government has not had a good record in accepting proposals, ideas and suggestions from the opposition parties. No legislation is perfect and certainly this legislation is not perfect. In fact, I would say there are very few

pieces of legislation that achieve proclamation and royal assent that are perfect. I would urge the minister to be open to ideas to improve this legislation, whether those ideas come from members of the opposition parties, from tenants' organizations across this province or from landlords across this province.

As I conclude in today's debate, I would remind members of this House that I have been a tenant activist for some time. I was the founding vice-president of my tenants' association in the early 1970s. I believe the tenants of this province need the kind of protection a good rent review system will afford them.

Back in the mid-1970s and early 1970s we saw situations where there were unjustifiable and unconscionable rent increases that placed many tenants in jeopardy. We also know there is an affordability problem by a significant portion of tenants in this province, and we know the solution to those affordability problems really lies in governments, this government and previous governments before it, accepting their responsibility to ensure that those in need of social housing have access to social housing, those in need of assistance have that assistance.

I was pleased to see the minister build on the strong foundation of the Liberal government before him in the continuation of strong support for the non-profit housing sector and for the co-op housing sector and for the kind of assisted housing which would help those who have a real affordability problem.

I know the complexities of this legislation. I have lived for many years, as I pointed out at the beginning of my remarks, with the whole issue surrounding housing policy and rent review in particular. It is my hope as this legislation proceeds through the process that we will see the kind of housing policy that will balance those interests, because my constituents in the riding of Oriole need to know they have a housing policy in place that will protect them not only today, but will offer them choice of accommodation in the future as well.

Mr Ferguson: I am glad to hear that the member for Oriole, a former tenant activist, is going to be supporting this legislation. We welcome her support in this matter.

What we have to recognize is that any time any political party makes an announcement or set of guidelines for proposed legislation, it is relative to the situation in time. Of course the economy of this province is never constant but is always changing, and what might apply at a moment in time may not be valid some time down the road. Surely the decisions that are made and legislation proposed during a time of a booming economy should not be etched in stone and held as gospel in an economy that has turned dramatically around and all of a sudden is sluggish at best.

We have to recognize that in assuming government, as we did, at a very difficult time—the member knows this, because of course she was on the government side at one point—we have a sense of responsibility, and we assumed the role of government not just on behalf of the 38% of the population that supported us on 6 September but on behalf of everybody in the province, and we try to govern the province accordingly.

What I am saying is that when I look at this piece of legislation it tells me very clearly that we are economic realists with a social conscience. We are economic realists because we recognize the capital investment that is required, as well as recognizing that tenants should not pay for capital investment in landlords' properties.

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Ms Poole: It is late, so I will be brief. Not only that, but I only have two minutes, so that does put a bit of a damper on it.

I did, though, want to commend the member for Oriole for her very sensitive comments tonight. She has highlighted for us very well the fact that rental policy in Ontario does require a very sensitive balance. At times it is a juggling act. It is not easy to try to take into account the need for rental stability, the need for preserving our rental housing stock, the requirement that landlords make a reasonable return on their investment and the fact that we want a rental policy which people can understand.

It is difficult. Earlier today I commended the Minister of Housing for reversing some of his party's original policies, which I do not think would have achieved that balance which is so important.

The member for Oriole added one other item to the goals for rental housing which is a very important one, that is, the element of choice. It is very important that tenants have a choice of affordable, safe accommodation. At the same time, the only way that is going to be achieved is if we bring stability to the rental housing market and if we encourage people to build. It is a monumental task, but I think Bill 121 does go a long way towards meeting that.

As the member for Oriole has said, there are concerns we have with it. We do have a concern about whether the cap is going to be adequate to meet the needs of our aging housing stock, and we do have some concerns about some of the maintenance provisions. But I will reiterate our desire to work with the government to try to create an even better bill when we take this to committee.

Mr Bisson: I have just two quick points. I would also like to thank the member for her support on this legislation. I think she recognizes that by working together from all sides of the House we are able to bring forward good legislation to the people of this province. That is why we are trying to work in a good atmosphere within this House as much as possible, listening to what people have to say not only in this House but when we go out and consult.

What the previous member was talking about was right on, that by listening to people out in the province we came back and somewhat changed our position, recognizing that there were a few things that needed some adjustment. But the basic principle was there.

I would like to make a very brief point on the question of the rebuilding of our housing stock in the Ontario market. As I said before, when I as a landlord take money in rents—four units, six units, whatever—I am expected, from that rent, to put some back into my building over the long term. I have a little difficulty when some people argue that they are somewhat worried about restrictions on the amount landlords are able to pass through to their tenants

to recoup the cost of the repairs they have done to their building. I think that is something that really needs to be thought about.

The whole idea of taking rent is that you are basically putting money into something in order to build equity over the long term. That rent is not only to get the equity back, but is there in case of having to do work on your building to be able to keep it up to snuff.

I thank the member for a somewhat long but very interesting deliberation, and look forward to her comments.

Mrs Caplan: I found today's debate quite interesting, because we heard many diverse points of view on a subject—housing policy and rent regulation in particular—that reflect the approaches.

We know rent regulation has long been the policy of the Ontario Liberal Party. We heard from the members opposite that since forming the government the New Democratic socialist government has changed its views. I think that was positive. I will say that on behalf of my constituents, because I believe very clearly that the simplistic approach provided for in the Agenda for People was not good housing policy.

We have also heard from the Progressive Conservative Party of Ontario—which brought us rent control in 1974, I would point out—a point of view which I think the tenants of Ontario will not only find interesting, but will give them great cause for concern as well.

We know of the delicate balance that is needed to ensure, as we have said many times, the kind of stability, the kind of environment which will ensure that tenants have a clean, safe and decent place to live. We need to have the right incentives in place to ensure that buildings are maintained. We want to have a rent review system which is as understandable as possible, knowing how difficult that is in any kind of a regulatory regime. We want people to feel they are being treated fairly. We will have the opportunity, as we debate this legislation, to attempt to achieve those goals.

I would repeat that this is a very difficult and complex issue. The only place that we differ on, the partisanship, is how to do it, but I believe there is much agreement on the goals and the principles around protection of tenants.

Mr Winninger: I am pleased to add a few words to this debate. I think it is important when debating the merits of Bill 121 to look at where we are coming from and where we are going to.

There is a popular myth afloat that in a free market economy, rents will look after themselves, that they will be a stimulus to rental housing, that rents will be competitively set by the private sector.

Back in 1975, when rent controls were first introduced by the Conservative government of the day, with a strong opposition party, housing in Toronto had become extremely scarce and rents were skyrocketing. Tenants were being squeezed. There was scarce housing and there were high rents.

The government of the day thought it prudent to introduce rent controls. The act—I believe it was then known as the residential premises rent review act—introduced the

concept of the statutory guideline. The statutory guideline over the ensuing years varied from approximately 4% to 8%. This was a range, I would submit, that was reasonable for the tenants to pay given the average increase in the cost of living.

There were two problems, however. One was that all buildings built after 1976 were not subject to the statutory guidelines. Second, there was no system of rent registry that would enable a new tenant to determine with any degree of accuracy what the former tenant had been paying in rent.

This led to a new act, the Residential Rent Regulation Act, introduced in 1985. This act not only promised tenants a rent registry but also brought under rent control all buildings constructed after 1976. This seemed like a wonderful thing at the time. However, the tradeoff for tenants was grossly inequitable in that under the new act landlords were able to pass through all kinds of costs, including economic loss, financial loss, extraordinary loss, capital loss. They could equalize rents.

This created great hardship for the tenants. Tenants were often facing rent increases of 20%, 30% or 40%. In one documented case in Toronto, rents rose by 170% on a rent review.

In order to cushion these increases, it was thought that a system of phase-ins would effectively smooth the transition for the tenant over time. But what happened is that these phase-ins were automatically added to the statutory increase that the landlord was able to obtain by justifying the rent increase each year. What you had was a phase-in piggybacked on what might be a statutory increase or what might in fact be another justified increase from year to year. The cumulative effect of these increases was to force many tenants out of their housing.

With the change of government last September, a new innovative approach was taken to ensure that rent increases remain within a reasonable range. Bill 121 puts the cap at 8%. I would submit that Bill 121 effectively balances the competing interests of the landlords, who want a fair return on their investment—the landlords who incur capital costs and who have to pass some of those capital costs through to the tenants are able to do so under Bill 121, and at the same time, rent increases are maintained within a reasonable limit so that tenants are not forced out of their homes.

2150

The process, too, is a much better one. Instead of the landlord applying to justify the rent and the tenant responding to that application for an increase beyond the statutory guideline and having to endure at least two processes of rent review, first at the level of the Ministry of Housing—an order issued by rent review services which in many cases was virtually automatically appealed by either the landlord or the tenant—and it is important to remember that at the first level of application there was no hearing under the most recent legislation. The hearing was allowed at the second level of appeal.

One might well ask, why does one have to surmount the first hurdle of an application to the Ministry of Housing only to have what amounts to a hearing de novo,

whole new hearing with the same evidence or perhaps new evidence being introduced, at the level of the Rent Review Hearings Board? It just does not make sense. For that reason, it seems eminently sensible that a one-tier structure be introduced where if the landlord or the tenant wants a hearing on an application for an increase beyond the statutory guideline, that hearing is automatically granted.

No one will go without a hearing. If there is some concern that an error of law has been made at the initial level, there is recourse to the Ontario Court (General Division), what was known as the Divisional Court. The member for Eglinton earlier raised the point that she was concerned that this ground for appeal was far too narrow in that a mere error of law may be a hard one to prove, and that one should be able to argue error of fact as well. The courts for some time—and established precedent substantiates this—have given deference to specialized boards and tribunals such as the Rent Review Hearings Board, it being thought that a rent review board, with its expertise in rent review matters, is far better equipped to make these ultimate decisions than a court of superior jurisdiction. For that reason, it makes good sense that a tenant or a landlord only be able to appeal a decision of rent review to the Ontario Court (General Division) on a question of law.

There is ample evidence that the principles enshrined in Bill 121 are the optimum approach in balancing the needs of both landlords and tenants. Certainly the support that flows from the member for Oriole indicates that at least the Liberal Party, the opposition, has taken a close look at the bill, has examined the bill and supports the merits of the bill.

There may be some room for minor adjustments. For example, the member for Eglinton suggested there may be a problem when an inspector goes in and issues a work order and that work order is then automatically delivered to the director, who then issues a notice of penalty order. I would submit that when that inspector goes in and examines the rental property and determines there is some reason for a work order, that inspector will take into account the reasonable time required to remedy whatever defect he or she may find. So by giving the landlord a reasonable time limit, that time limit has to expire. In other words, the time for compliance has to expire before the notice from the director goes out as to the penalty order. If the time has not expired, then it would be unreasonable for such an order to issue.

A landlord may have some substantial difficulty in complying with that order within the time set out by the inspector. In that case, I would suggest it would be incumbent on the landlord to visit the inspector from the municipality and ask for an extension of time, which, I would submit, would be reasonably granted under extenuating circumstances. So the concern about a notice-of-rent-penalty order going out may not be a valid one, given the safeguards built into the act that would ensure reasonable times are allowed for compliance with work orders.

One salient provision that is long overdue is the right for a tenant to go back to rent review when increases in operating costs are no longer borne and ask that those rents be decreased. I seem to recall there was a section under the

existing legislation, which I do not believe was ever proclaimed, that allowed tenants to go back and have rent increases reversed. It makes good sense that the provision be in there, because otherwise rents will continue to escalate and costs which are reduced or no longer borne would enable the landlord to make more of a profit than may be appropriate under the circumstances.

The member for Eglinton suggested that a landlord who seeks a rent increase for capital costs associated with energy conservation may be penalized by a tenant coming back to the Rent Review Hearings Board and arguing that because the energy costs have been reduced the rent should be lowered. I believe that is not a point well taken, because certainly it makes perfect sense for the capital costs incurred by a landlord for energy conservation to be passed through to the limit by a landlord, but if that results in reduced operating costs surely the tenant should derive some benefit from that decrease in energy costs.

I believe this bill goes a long way to redressing many of the inequities that tenant advocates have been highlighting for the past number of years. I have had a long and abiding interest in the issue of social housing. Some members may know that the previous government appointed me to be chair of the London and Middlesex Housing Authority in 1988, and that, too, has given me some insight into the issue of how people are housed.

Housing, I would submit, is a basic commodity, as basic as food, and for that reason rent controls must be maintained, but in a meaningful sense. The past legislation, the Residential Rent Regulation Act, did not maintain rent controls in any kind of a reasonable sense because the exceptions under that act were manifold. One only has to go back over the past four or five years to see the ravages that particular legislation caused for tenants. At the time that legislation was passed, I seem to recall there were 62 or 63 amendments proposed by the NDP which were given absolutely no consideration at the time and the legislation went through virtually as it was, to the detriment of tenants across Ontario.

2200

I know the tenants in my riding of London South and in London in general are very pleased to see not only a cap placed on rent increases but standards of maintenance tied into the right to seek a rent increase. For the longest time landlords have been able to come to the rent review board and ask for and receive an increase, notwithstanding the fact that their buildings were in very shoddy, slipshod shape. The reason for that was that the way you proved a reduction or a decline in standards of services or maintenance under section 74 of the existing legislation was you had to have tenants who were in the building over a long period of time to show how standards of services and maintenance had declined over that period of time.

It did not matter that tenants could come to the board and give all kinds of evidence as to poor living standards in the building. The roof could be leaking, for that matter, but it was not within the jurisdiction of the rent review board to reduce rent increases for that reason unless a long-term decline could be shown. Because of the transitory nature of tenants' lives, the fact that they come and go

in rental buildings, it was very difficult to prove a decline in standards of services or maintenance. Again, for that reason, Bill 121 is to be commended.

I would also note for those members in the opposition who complain that the minister may not be available for all the committee hearings that the minister has sat here very patiently since the debate began several hours ago today and is still sitting here because of his long and abiding interest in this issue.

Ms Poole: I would like to thank the member for London South for his comments, particularly about the rent registry. Our government did bring it in and I think it was one of the strongest parts of Bill 51 or the RRR Act. I did want to comment, however, on a couple of his other points.

First of all, he seemed to imply that the majority of cases that had been through the administrative process actually went to appeal and went to the hearings board. This is not correct; the majority of cases did not go under appeal. In fact, I had many tenants in my riding who were quite pleased when they took cases to appeal, because they got a further rent reduction.

When he talked about the 170% rent increase, I really wish we would stay away from that rhetoric. The statistics show very clearly that one 12,000th of 1% of rent review applications were for over 100% increases; one 12,000th of 1%. I, quite frankly, think any applications over 100% were unacceptable, but let's not pretend they were the norm. The average rent increase across the province last year was 5.8%. The average of those cases going to rent review was 11%, and that included the guideline increase. So we are talking around 5% above the guideline. That was the average going to rent review.

Let's not forget those statistics. Let's not talk about the ravages of the Residential Rent Regulation Act and get into political rhetoric when that act protected many tenants. That is why it was 5.8% across the province.

The final point I would like to make is about the conservation costs. The member missed my point. If a landlord spent 10% above the guideline on conservation, if he carried it over for two years he would get 6% back. So he would lose 4% and at the same time get reduced operating costs. That was the point I was trying to make.

Mr Winner: I would just reiterate that the problems with the previous act which still exist on the books, I suppose, although capped by Bill 4, are self-evident. Tenants have been going back again and again to rent review and been told that because of the way the act was structured in 1985 and introduced in 1986, the hands of the rent review officers were tied, simply because sections of that act were so skewed in favour of the profitability of landlords. For that reason, it became self-evident that this legislation had to be reformed. Otherwise, tenants would be repeatedly forced out of housing.

Hon Mr Cooke: I would like to thank the members of the Legislature, the opposition parties and the government party, for participating in this afternoon's debate. I certainly look forward to the next stage of this bill. There will be extensive public hearings, and I certainly give the

commitment of this government that in the public hearings we will have across the province we will be listening for suggestions to improve the bill further.

We will not compromise the principle of the legislation, but certainly the nature of this legislation is that there will be many specific recommendations on wording and some changes in the legislation, and we will listen. If there are recommendations that make sense and fit into the principle, we are willing to listen as a government and incorporate those suggestions into the legislation.

I would like to make it clear that this legislation is part of an overall housing strategy this government is working on. I would certainly like to remind members very briefly of the other components of the housing strategy, because I think it is important to realize that this government does not see rent control as the only initiative that is necessary to solve the housing crisis in this province. That is why we have released other consultation documents on the whole question of government use of land and the housing framework, the supply question.

And in the interim, we have moved in a number of areas. We have advanced the Homes Now program so that 14,000 of the Homes Now units are now under way. We have added an additional 10,000 units in the provincial budget to the non-profit and co-op housing supply program. We moved on the Rupert Hotel Coalition suggestion of doing a pilot project in the rooming house sector to try to solve by experimenting with some suggested solutions in the whole area of rooming houses and people who need access to that sector of housing.

We are developing a discussion paper in the whole area of quality of life in the public housing sector, which I personally feel very strongly about, that the existing public housing stock needs to be preserved and that we need to take some major initiatives in the public housing sector to turn control of those communities back to the people who live in those communities, people in our public housing sector, whom I think have in the past been forgotten by previous governments.

We have announced a planning inquiry. While that is an initiative from the Ministry of Municipal Affairs, I believe it is very much part of the housing strategy of this province, because if the planning system is working housing can be developed more quickly and efficiently both in the private sector and the public sector.

If we look at the number of initiatives this government has announced, we are trying to develop a total housing strategy which can deliver on the commitment this government has made and the principle this government has announced, that decent, affordable housing is a basic human right. If that basic human right is to be delivered on, government has a major role to play along with other sectors of the economy, including the private sector.

I very much look forward to the continued suggestions of the opposition parties, the landlord community, the investment community and municipalities as we move to the next stage of this legislation.

I could quibble with some of the arguments that have been used by the Conservative Party or the Liberal Party, but the hour is getting late and we will have many more

ours to debate this legislation. Again, I appreciate the involvement.

The Acting Speaker (Mrs Haslam): Mr Cooke has moved second reading of Bill 121.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Hon Miss Martel: It is my understand that earlier this evening there was discussion among the House leaders'

staffs of a request for unanimous consent to defer the vote until Wednesday after routine proceedings. I would ask for that consent at this point.

Agreed to.

Vote deferred.

Le vote est reporté.

The House adjourned at 2212.

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Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le mardi 25 juin 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 25 June 1991

The House met at 1332.

Prayers.

REPORT, INFORMATION AND PRIVACY COMMISSIONER

The Speaker: I beg to inform the House that I have today laid upon the table the third annual report of the Information and Privacy Commissioner of Ontario for the year ending 31 December 1990.

MEMBERS' STATEMENTS

FINANCIAL INSTITUTIONS

Mr Chiarelli: This is what I told the House at the last recess, 18 December:

"Ontario is sadly disappointed by the performance of the Minister of Financial Institutions.

"Over the past session, what have we seen in the way of needed legislative protection and reform from this minister? Diddly-squat. Zero. What have we seen for the 40,000 people whose uncertain future livelihood will hinge on his Utopian pie-in-the-sky scheme for driver-owned auto insurance? Nothing. What have we seen in the way of protecting Ontario's savings and loan industry in the wake of federal reform? Nothing. What have we seen in the area of safeguards for financial consumers in the wake of a collapsing real estate market and loose control of mortgage brokers? Nothing. On pension reform? Nothing.

"What have we seen to address the uncertain status of the Ontario Securities Commission? Nothing.

"Despite the recession and mounting job losses across the province, not once has the minister stood in this House to announce a program, make a statement or to introduce a bill to alleviate some of the uncertainty and increase protection for consumers and investors alike in these volatile economic times.

"Has the Premier dispatched his cowboy minister out on to the range, never to be heard from again?"

Yes, the member for Welland-Thorold is gone, and at this recess the new minister gets the same grade: diddly-squat, zero. He has done nothing.

TAXATION

Mr Stockwell: Today is the day that Ontarians, the most heavily taxed people in the country, can finally start working for themselves, after having spent the last 175 days working for governments. It is a pity that governments do not spend more time working for the average Ontario family, which spends about half its income on taxes.

Again this year, Ontarians are the last Canadians to celebrate tax freedom day. The old adage "better late than never" is probably not going to be sufficient to forestall a long overdue tax revolt in this province.

Death and taxes may be inevitable, but Ontario taxes are becoming the more painful. Contributing to the pain is the fact that taxpayers are no longer receiving quality services

in return for their tax dollars. If we were to apply the principles of value-for-money auditing to the current crop of greedheads occupying the government benches, there would be millions of taxpayers in line for refunds.

As it stands, however, they are only in line for another increase in the gasoline tax next 1 January. At the rate the NDP is going, by the end of its term we will be observing tax freedom day and Labour Day concurrently. The prospect is enough to make most of us in the province hope that Thanksgiving Day comes early, as on that day we will get rid of all these turkeys. If you throw in the deficit, it would be some time in August before people would start earning money for themselves. Unbelievable.

FAMILY FARMS

Mr Mills: Many of my constituents in Durham East live and work in rural communities. There are more than 2,000 farms in the Durham region, and a large number of them are family farms located in Newcastle and Scugog.

As all members from rural ridings know, family farms have been suffering for some time. High interest rates, unstable commodity prices and the recession have all had a devastating impact on farmers in Durham East.

But farmers are pleased that our government is helping them in these difficult times through the net income stabilization account and the gross revenue insurance program. They also welcome the farm interest assistance program and the feeder cattle loan guarantee program.

Many of my constituents are concerned about the loss of agricultural land to development and the disappearance of the rural way of life. Long-term planning is crucial to keep family farms viable for the future and to strengthen our rural communities. That is why our government is looking at proposals to deliver long-term affordable credit to farmers.

Much work still remains to be done. There are no easy, quick-fix solutions to the problems facing our farming and rural communities, but farmers I have spoken to are pleased with what we have done so far and with our government's commitment to work in partnership with them to find long-term solutions to their problems and help strengthen rural communities.

MINISTRY OF CITIZENSHIP

Mr Curling: Yesterday the Minister of Citizenship held a press conference to outline her ministry's initiatives over the last nine months. Understandably, it was a rather short meeting. Here are the highlights of the minister's first term.

In March the minister announced she would implement Liberal proposals to strengthen the race relations directorate, which she has renamed the anti-racism secretariat. Five months have passed and the secretariat is still directionless, as its top position has not even been advertised.

Plans were announced to provide core funding to community groups. This funding represents less than 1% of the

minister's budget. Five months later, no criteria have been developed and none are expected until late into the year.

The now Premier made a commitment last summer to immediately implement the recommendations of the task force on access to the trades and professions. The community is still waiting to hear from the minister.

A so-called employment equity consultation strategy was announced last week. This consultation will last all of six weeks and will take place at a time when, in the minister's words, "It wouldn't make sense to hold consultations, because people are not available during the summer."

Why then this hollow public relations exercise? Why not reintroduce the member for York South's private member's Bill 172 so the Legislature can get on with the debate and public hearings on this important legislation?

We have heard platitudes about fighting racism and discrimination, but nothing has been done to address concerns about the current ability of the Ontario Human Rights Commission to fulfil its mandate.

Public confidence in the commission is eroding, yet the minister will not look into allegations of discrimination within the commission itself, and despite the findings of a recent report by the provincial Ombudsman the minister has done nothing to address the immediate need for additional compliance officers and other frontline staff at the commission.

1340

HIGHWAY SAFETY

Mr Eves: I rise in the House today to bring attention to the intersection of Highways 124 and 69 in McDougall township just outside of Parry Sound.

As a result of my correspondence with him and meetings which we have both attended to discuss this matter, the Minister of Transportation is well aware of my concern and that of others over lack of safety at this intersection.

After much persuasion on the part of local citizens and McDougall council, the previous government agreed to construct an overpass at this intersection. However, completion of this intersection has been postponed by ministry officials twice and MTO now has a scheduled completion date in fiscal year 1992-93.

That is very little consolation indeed for the family of the individual who was killed at this intersection or the four persons who have sustained major personal injuries in accidents at that intersection, the most recent being on 18 June.

Local residents are so concerned about the uncertainty of safe passage at the intersection that the West Parry Sound Board of Education has decided to change its school boundaries and transfer students to another school rather than have them cross this intersection in a school bus. The Ontario Provincial Police division in Parry Sound also agrees that this intersection is totally unsafe.

Surely there is no greater priority than saving lives, and I would suggest that construction of this very important overpass start tomorrow.

JAMES WALKER

Mr O'Connor: In 1934 James Walker started planting trees on his property located in the township of Uxbridge,

and he never stopped. Fifty-seven years later he has planted over two million trees and transformed more than 1,000 acres from barren wasteland into productive forest. He has been referred to as Ontario's Johnny Appleseed.

However, unlike the legendary figure who went about scattering seeds wherever he went, Mr Walker's forest is a product of scientific management, careful experimentation and old-fashioned hard work.

Before Mr Walker bought the land, it had been rendered useless by the removal of the huge white pines that had grown up there over the centuries. Without the trees and vegetation to hold the remaining soil, wind and rain washed away the thin topsoil, making the land infertile for agricultural purposes. He started by planting 100,000 quick-growing poplars each year in an attempt to stop the worst of the soil erosion. He has now turned what was once barren land into a forest that by the late 1980s was producing approximately 400 full cords of firewood and 30,000 to 40,000 board feet of hardwood lumber per year.

Yesterday, the Minister of Natural Resources announced in the House that he was releasing interim guidelines to protect the Oak Ridges moraine. Mr Walker's property is located on the moraine and is part of the headwaters for Duffin Creek. As part of the minister's announcement, he indicated the government was fully committed to the plans of the Metro Toronto and Region Conservation Authority to purchase the James Walker—

The Speaker: I realize 90 seconds is not enough.

ROUGE VALLEY

Mr Ramsay: Yesterday I put a question to the Minister of Natural Resources regarding his ministry's interest in Pinegrove Forest adjacent to the Rouge River Valley Park.

This site has been recommended by his staff as an area of natural and scientific interest, and I requested that the minister express the corporate position of his ministry to Pickering council. As of 10 o'clock last night, during the council meeting discussing this issue, it was stated that the Ministry of Natural Resources had not informed Pickering planning department that it had concerns.

Why did the minister not inform Pickering council of the natural history value of the site, which his staff people believed deserves protection afforded by the ANSI status?

On the same day the minister expressed concern about natural history protection in the Oak Ridges moraine, he was unable to take this very simple step of informing Pickering of the value his ministry scientists put on this particular site. This was not an oversight, because he was made aware of it yesterday. We can only conclude that natural history protection in the Rouge Valley area is a very low priority with this minister.

I hope he acts more responsibly with respect to the recommendations put to him by the Rouge Valley Park advisory committee. These are that the province apply interim protection controls on land in phase 3 of the park and seek co-operation from all parties, and that the province provide a commitment that the public lands in the North Pickering greenbelt-agricultural reserve will remain in public ownership.

The Rouge Valley Park advisory committee meets tomorrow, and we are all looking forward to this minister's support for its recommendations.

HOSPITAL BEDS

Mrs Cunningham: University Hospital in London, which is internationally known for specialized programs such as the multi-organ transplant program, orthopaedic surgery, the epilepsy unit and in vitro fertilization, to name a few, recently announced it would be closing 47 beds and the entire ninth floor by 1 November 1991. Closing beds seems to be the only way they can receive the tax dollars needed to maintain the services they have been providing for years. The volume of transplant patients has increased, yet the revenue generated to perform this specialized surgery has not.

This short-term solution could jeopardize the integrity this hospital has worked so hard to develop for over 18 years. By closing hospital beds, the number of transplants and other operations that so many people desperately need will decrease and, as a result, patients will be forced to seek treatment in the United States, which will cost Ontario taxpayers substantially more. Physicians, some with specialties that Canada has supported with education tax dollars, will be beckoned to the US and other areas where they are appreciated and welcome.

University Hospital is a provincial and national resource that attracts patients from all over Canada and the world. The hospital has worked for 18 years to become a world-renowned hospital. Because of a lack of provincial government leadership in health delivery management in this province and of a commitment to integrated, cost-effective, long-term provincial policies, University Hospital and others are stuck with short-term, piecemeal decisions that hurt patients, hospital workers and taxpayers.

AFFORDABLE HOUSING

Mr Mammoliti: I would like to bring to the attention of every member of the House a matter that causes me grave concern.

We are all aware of the major problem of the lack of affordable housing in Metropolitan Toronto. Every member of government at every level, federal, provincial and municipal, must work together to find a solution.

I represent an extremely densely populated riding, Yorkview. Any type of further development in my riding would require careful consideration. Affordable housing is a pressing problem and there has been much dialogue and correspondence between me and the other elected officials representing Yorkview on this issue, as there should be.

To my utter disgust, I have a copy of the correspondence from Mayor Mel Lastman. He, too, has grave concerns on already densely populated neighbourhoods, but he states that he would "consider supporting a condominium development" as opposed to an affordable housing complex in my riding. Condos? Are we to believe that Yorkview is too crowded for non-profit assisted housing but not too crowded for more condos?

What is Mayor Lastman saying? That only certain people, those who can afford condos, need housing, and no

one else needs housing? This is a man who will spend millions on an art centre rather than putting the money towards housing projects. Disappointment is not a strong enough word for my feelings on this matter.

STATEMENTS BY THE MINISTRY

NORTHERN HEALTH TRAVEL GRANTS FRAIS DE TRANSPORT AUX FINS MÉDICALES

L'hon. Mme Lankin : J'ai aujourd'hui le plaisir de passer brièvement en revue les améliorations au Programme de subventions accordées aux résidents du nord de l'Ontario pour frais de transport à des fins médicales. Ces changements ont été annoncés par le Trésorier lors de son budget du 29 avril dernier.

Ce programme s'adresse aux résidents et aux résidentes du nord de l'Ontario qui doivent parcourir de grandes distances pour obtenir des soins médicaux spécialisés.

Le gouvernement est sensible aux défis particuliers que pose l'immensité du Nord.

1350

In 1988 and 1989 the NDP task force on northern health care issues travelled throughout northern Ontario for 18 months. Residents of northern Ontario communities spoke passionately about their concerns around health care in the north. Presenters to the task force consistently pointed to improvements that were needed to the health travel grant.

The Ministry of Health agreed with the need to expand the program after a review was completed in 1990, along with the Ministry of Northern Development and Mines. Hospitals, patients, health care professionals, medical societies, and local social and family services were all consulted. These consultations, as well as contributions from many of my colleagues from the north, as well as the member for Parry Sound and the member for Kenora, formed the basis for the changes I am announcing today.

We want to ensure that northern residents receive the quality health care they need and deserve. We believe the expansion of this program is an important improvement to ensure access to necessary health services in the north. The changes I am announcing today will enable more people in the north to qualify for the program.

Beginning 1 July, residents in Parry Sound and all of Nipissing district will be able to make travel grant claims. This change complies with the redefinition of northern Ontario which came into effect for all government programs on 1 June 1989.

In the past people had to travel at least 250 kilometres within northern Ontario or to Manitoba to qualify for the program. The minimum distance required will be reduced to 100 kilometres. As well, patients in the north had to journey at least 300 kilometres for specialized medical care in southern Ontario to be eligible. This requirement will be lowered to 200 kilometres.

Before now, only people accompanying patients under the age of 18 could apply for travel grants. As of 1 July those travelling with patients of any age will be eligible, provided the need for a companion has been recommended by a physician. Program grants will also be expanded to

include patients referred to the Speech Foundation of Ontario's Toronto Children's Centre. Patients travelling to abortion clinics licensed under the Independent Health Facilities Act will be eligible as well.

The improvements I have outlined today will increase grants under the program by \$3.4 million a year. Since December of 1985 the northern health travel grant program has helped more than 80,000 patients and their travelling companions. It has awarded approximately \$35 million in grants for about 212,000 trips.

This program makes health care more accessible for people in the north. As well as assisting with travel costs associated with medical care, the program gives patients the freedom to choose their own practitioner. It also encourages the effective use of health care resources in the north and supports the goal of self-sufficiency in northern health care.

The changes I have outlined today support these goals and will enhance access to health care services for residents of northern Ontario.

FIREFIGHTING

Hon Mr Farnan: I am pleased this afternoon to introduce for first reading a bill that will give the fire marshal and assistants authority to deal more effectively with threats to environmental and public safety.

This bill will amend the existing Fire Marshals Act. It will permit the fire marshal and assistants to issue an order for corrective action where, although the risk of fire is low, the potential environmental consequences of a fire would be high. It would allow the fire marshal and assistants to take the corrective action themselves where fire would cause a serious threat to environmental or public safety and the person responsible is unable or unwilling to do the work. Action could only be taken with authorization from the fire code commission. Once authorized, this corrective action could be performed even though the original order was under appeal. The appeal process would not prevent or delay necessary corrective work, as is currently the case.

The amendments will also give the fire marshal and assistants power to take remedial action in all buildings and premises where there is an immediate threat to life safety. Currently the fire marshal only has the power to close a building, requiring the tenants to move out until the hazardous situation is remedied. These changes, as well, permit recovery of the costs of any necessary corrective action through a person's municipal taxes or a court judgement. In all cases, there is a right to appeal an order to pay costs.

The proposed amendments will also cover fire protection in areas lacking a municipal government. Fire protection teams currently exist in many such communities in northern Ontario, but there is a need to formalize their existence. We are therefore proposing that these amendments give the fire marshal the power to make agreements for the establishment and operation of fire protection services in communities with no municipal government. As well, the province will have the power to make regulations for the operation and administration of these services.

The proposed amendments also recognize the importance of the mutual aid system, a system that co-ordinates firefighting resources in neighbouring municipalities during an emergency situation. The amendments authorize the fire marshal to appoint fire co-ordinators, determine their duties and provide them with immunity from legal action.

In addition, the revised legislation will expand application of the fire code to cover the occupied parts of buildings under construction or renovation.

I submit for first reading these amendments to the Fire Marshals Act. They will greatly improve the safety and security of Ontario residents.

RESPONSES

FIREFIGHTING

Mr Curling: I am glad the minister brought forward this amendment to the Fire Marshals Act. As a matter of fact, it is Liberal legislation which was introduced in June 1990. Basically it is a Liberal legislative amendment he has brought in. It took him some considerable time to do this. If this is indicative of most of the regulations that are now sitting in the minister's office and not being introduced, we realize that nothing will be done.

I am somehow feeling he did not want this to pass, having introduced it at such a late stage in the game. We have about two days to go before the House adjourns.

We had hoped also that the minister would have taken some action in regard to the coroner's inquest into rooming houses, specifically the recommendations that were made on the Rupert Hotel fire.

We are quite disappointed. We find that in one of the most active ministries in the government, most of the regulations that should have been introduced in many areas have not been done. I hope this is not the way he performs in the coming sessions. I am quite disappointed. But we hope that Bill 22, which was introduced by the then Solicitor General, will be a good guide to the minister.

NORTHERN HEALTH TRAVEL GRANTS

Mr Phillips: I am pleased to respond to the announcement on the northern health travel grants and to say it is rather typical, I think, of the government. The health travel grants were originally implemented by the previous government in 1985. Then the improvements were announced, almost word for word, a year ago in August 1990. Now, finally, eight months later, the minister has been able to get around to examining them and finally announcing them.

I raised this issue in the Legislature with the previous minister in November. The response I got then—the previous minister probably will recall—was that she is dealing with them and we would be seeing something, I believe the words were, “in the next few weeks.” Finally we see the announcement today. Believe me, it is essentially the same announcement that was made last August.

Obviously I am particularly delighted on behalf of my colleague the member for Kenora, who has been pushing very hard for this announcement for some time.

We are pleased to see at last the northern health travel grants coming forward. They are now coming out eight months after they were announced by the previous govern-

ment. The people in the north have been very much waiting for these announcements to come forward. I would just urge the minister to deal as quickly as she can with many of the issues that are backing up in the Ministry of Health. We really cannot wait eight months for an announcement like this to be analysed and then essentially reannounced.

Mr Miclash: I too would like to say I am pleased the minister has come forth with an announcement regarding the northern health travel grants. As the House will know, this was the topic which I surrounded my resolution with on both 31 May 1990—where it received unanimous approval, I must admit—and then again on 4 April 1991, where it actually did not receive the approval of the NDP caucus. I am just very happy that she has seen fit to go forth today and announce these improvements to that travel grant—again, as the previous speaker indicated, announcements that were made back in August by the former Premier.

I must point out as well, as the minister will know through my correspondence and my many discussions with her, that a good amount of correspondence to my office has been concerning the travel companion, concerning the distance and concerning many other things surrounded by this. Again, I am happy to be able to report back to my constituents that we are finally moving ahead in terms of meeting their needs in terms of health care throughout the north.

Again, I would just like to say I am happy, even though it did take a couple of resolutions and a good amount of time, to see these coming forth from the government.

1400

FIREFIGHTING

Mr Carr: I think I speak for all members when I say we all believe the fine men and women across this province who are working in our fire departments are doing a terrific job. I would also say that anything we can do to support those men and women in their task would be met with support from all members of the House, and I think some of the measures they talk about in terms of fire protection to help some of the municipalities would be a good thing.

When we talk about some of the things like the immediate threat to life, however, we are going to be very interested to see how those things are defined. The problem we have with this government is that when we get involved with regulations, we are a little bit sceptical and a little bit concerned. The last time we had any regulations that were doctored in this province, the people of this province lost the oath to the Queen, so you can rest assured that when it comes to changing the regulations in this province, we will be very mindful and will be watching the Solicitor General.

NORTHERN HEALTH TRAVEL GRANTS

Mr Eves: I would like to comment on the statement made today by the Minister of Health. I never thought I would actually live to see this day when the riding of Parry Sound, in its entirety—meaning the district of Parry Sound and the district of Nipissing, both of them in their entirety—was finally included in northern Ontario for the purposes of northern health travel grants.

This a promise that has been made by succeeding premiers, ministers of Northern Development and ministers of Health over the last fair number of years, I think it is fair to say. I recall back to 1988 when the then Minister of Northern Development and Mines and the then Premier of the province promised that the Parry Sound riding would be included in its entirety in northern Ontario for the purposes of all provincial government ministries, boards, agencies and commissions, only to find out about a year later, on 1 June 1989, when the changes went into effect, that several ministries still refused to recognize Parry Sound as part of northern Ontario. One of these was the Ministry of Health and another was the Ministry of Natural Resources, to name a couple.

We then pursued that matter at some length. It took an election campaign, during which—14 August 1990, I believe the date was—the Premier of the province, Mr Peterson, appeared in Parry Sound at a barbecue to which he had all of about 50 red-T-shirted people in attendance, I believe. That is an increase compared to previous elections, actually; I want to get that on the record. Obviously that was a big waste of time because not only did he not do anything in that riding in the election campaign; he also failed to deliver on his promise to include Parry Sound district and Nipissing district in northern Ontario for the purposes of the northern health travel grant program.

I would be very remiss if I did not mention in my comments here today the efforts of many municipal officials and concerned people in the districts of Parry Sound and Nipissing. It is the people who are less fortunate in society who benefit from a program such as this. It is for those people that I think everybody has been fighting for a great number of years now to have this program include the people in this district in their entirety.

I have received literally hundreds of letters and phone calls over the last two to three years with respect to this particular problem. Some of those stories are very sad indeed, especially with respect to people who require cancer treatment. They often have had to come to Toronto for treatment and in some cases literally could not afford to come to Toronto as often as they should for this treatment. I am pleased that these people will now have that opportunity, an opportunity that unfortunately for many has been lost over the last few years.

For those in the future it has been gained, and I would sincerely like to extend my thanks to the minister today for her commitment.

ORAL QUESTIONS

FUEL CONSERVATION TAX

Mr Nixon: I have a question for the Treasurer. I have examined his statement yesterday as carefully as possible and read the statements made by the Treasury officials. Can he confirm that the former gas guzzler tax as he announced it in the budget would impact on about 10% of the cars sold in Ontario and that his Bob White fine-tuning will impact on about 99% of the cars sold in Ontario?

Hon Mr Laughren: Yes, I can confirm those numbers very roughly and assure the leader of the official opposition

that when we made the change we thought very carefully about the fact that more cars now would be subjected to the fuel conservation tax. We all know a lot of the cars that now will have a fuel conservation tax could not be categorized as gas guzzler automobiles. We appreciate that fact.

However, the member will notice that the more fuel-conservative the car is, the less tax is paid, until you get right down to the point of the most fuel-conservative automobiles, where there is for the first time anywhere in North America a \$100 rebate on the purchase of those automobiles.

Mr Nixon: I appreciate the confirmation from the Treasurer. I remember a year ago when he was talking about a minimum tax on corporations. It appears this has transformed itself into a minimum tax on automobiles. Frankly, I have never seen the cars that are not only exempt but carry with them a \$100 cheque from the Treasurer. They are a little small for people like me. On the other hand, the Treasurer may have a fleet of them; I do not know.

It seems to me that his commitment to a minimum tax has finally been fulfilled, since every car sold in Ontario except for less than 1% will carry a minimum tax of \$75, and upward from there.

Can the Treasurer explain why he feels this is going to do anything other than augment his revenue? In fact, it will have little or no impact on the environment but will have a substantial impact on reducing whatever buoyancy there is in the car market as it fights against the depredations of NDP policy.

Hon Mr Laughren: I must take issue with what the leader of the official opposition says. If we had not consulted so widely on the change, perhaps I would give some credence to what he says. I can tell him that the automobile manufacturers say this is a much better package than the previous one; the Canadian Auto Workers, the union representing the workers, says it is a much better tax; the automobile dealers say it is a better tax; and, quite frankly, environmentalists in the province are very pleased with this tax as well. I think it is not appropriate for the leader of the official opposition to depict this tax as anything other than a much better package than the previous one.

Mr Nixon: I am not sure all of the people of the province would agree with the tax as the Treasurer sees it. As a matter of fact, it looks as if it were dreamt up by the same geniuses who thought of the tire tax, if members know what I mean. But in the case of the tire tax, all of that money, as the former Minister of the Environment will tell members, went to support the environmental budget. We were very proud of that accomplishment. At least we not only made that commitment but were able to see that it was fulfilled.

In this instance, I know members would agree with me that this is nothing more than a tax grab. For the Treasurer of Ontario to allow the Minister of Finance for Canada to put the GST of 7% on these cars, and then to put his own 8% on in parallel and then a minimum \$75 on top means that he is seriously damaging this industry. Surely the people who are contemplating the purchase of a new car will postpone it on that basis.

What steps is the Treasurer going to take to see that there will not be a reduction in car sales and that in fact he has not further damaged this industry, which is one of the basic foundations of our economy?

Hon Mr Laughren: The fact is that the previous tax was higher on a lot of the categories than is this one. It should not be too difficult to understand that if you are going to reduce the amount of tax on a certain number of vehicles, then you broaden the base. You broaden the base so that the revenue base is not eroded. I do not think there is anything unreasonable about that.

What I find difficult to understand is how the leader of the official opposition sets himself up as a better expert on the automobile industry than the manufacturers, than the unions that represent the workers. I do not understand why the leader of the official opposition does not understand that those people with the most at stake are very supportive of this rearranged tax, and he should be too.

1410

Mr Nixon: I discount Bob White's approval, but the president of the Association of International Automobile Manufacturers of Canada, Donald McArthur, has said, "As the tax stands now, it will damage the automobile industry at a time when it is just beginning to recover from recession."

FOOD BANKS

Mr Nixon: I want to move my attention to the Minister of Community and Social Services, who, along with her party, promised the elimination of food banks.

The minister is aware that the Canadian Association of Food Banks predicted that two million Canadians, 700,000 of them children, will require emergency food assistance in 1991. That is a 40% increase from 1990. The facts and figures in Toronto indicate that year over year the demand is up 48%. Here in Toronto the Daily Bread Food Bank is now supplying food to over 50,000 young people per month. Food banks in Ontario are now feeding 275,000 people a month.

I would like to ask the minister, although she has already conceded many months ago that she will not be able to abolish food banks, how she is getting along in providing programs that are going to at least level out the increase in demand on the food banks in Ontario, and particularly Toronto.

Hon Ms Akande: The Leader of the Opposition will recall that this government has dedicated and addressed itself to removing the need for food banks. In an attempt to do that, we have been quite effective in moving many of the Back on Track recommendations towards achieving those ends. We have made it possible for single parents to hold on to more of their income because we have taken out the tax and reduced the tax and increased the level of income they may acquire before they pay Ontario tax.

We have directed many of the single parents towards back-to-work programs and retraining programs. Many of them have been quite effective and are now earning income and gradually moving off social assistance rolls. We have indeed moved in the direction to which we dedicated ourselves, that of reducing the need for food banks.

Mr Nixon: I could not hear all the details, but the minister will understand that her answer boils down to the fact that her government has increased the payments to the needy people by 2%, from the 5% that was allocated in the previous budget to 7%. The problem here is that many people do not realize there are hundreds and thousands of people who depend on this. Many of them voted for the NDP because they felt it more sincerely put forward the concept that it could do something about the problem. Now it is 48% worse than it was. The Daily Bread Food Bank is rationing food, and now instead of 15% of these young people going hungry on a daily basis, it is as many as 25%.

Most of us, believe it or not, are well fed. Most of the people who may be watching this exchange are looking out at one of the best crop years in the history of our province. It seems incredible that the NDP, which very properly was critical of inadequacies in the past, has not been able at least to move in the direction of a solution. In fact, it is getting worse.

Can the minister not give us some specific plan that is going to come to grips with this situation, moving at least in part towards the solid promise and commitment that she and her colleagues made a year ago?

Hon Ms Akande: We have in fact identified what we are doing. We have dedicated \$215 million, which by the way the opposition at that time said was excessive, towards directing services to make sure they are fairer, to make sure those people who need those services and that support the most get it, and towards a back-to-work initiative so that in fact people are receiving a great deal of assistance.

It is unfortunate, though, that while we are doing this with such dedication and determination, we are affected by the policies of the federal government, which make it impossible for us to contradict what is happening in terms of unemployment, in terms of its removal from support on unemployment insurance and in terms of its continuing with the cap on CAP. Yes, our determination has not changed.

Mr Nixon: The minister and all members of this House know that the year-over-year increase in the budget was 13.4%, probably the largest in history. The minister and all members in this House know that instead of the regular \$200-million increase for the 22,000 medical practitioners, the budget found \$484 million extra and it found \$220 million extra for the civil servants. The minister has allocated an extra \$1 million to food banks, which is 40 cents per month per customer.

Is she satisfied with this? Does she not understand that, I suppose because of political realities, the pressure on her on this matter has decreased, but the numbers out there are still going hungry and her commitment has not been fulfilled or even nearly fulfilled?

Hon Ms Akande: Yes, we do understand. These people are real to us, and we have addressed many of the programs we have in order to meet their needs. Certainly the supports to employment program has done that, the employment opportunities program has done that and our anti-recession program has done that, and we have met with much success.

The thing I must emphasize is that while we continue to work this way, there are other forces, the recession for one and the unemployment numbers for another, which work to add more and more people to the needy. I would mention to the Leader of the Opposition that when one increases social assistance from 5% to 7%, it does make for an overall 40% increase.

COMMUNITY AND SOCIAL SERVICES SPENDING

Mr Harris: My question as well is for the Minister of Community and Social Services, and perhaps explains why there is not enough money for those who truly need assistance.

I recently received a copy of a letter to the Premier which I believe was also sent to the minister. My copy was received about four days ago. It is from a civil servant in her ministry's central regional office. The letter states in part:

"At a time when welfare rolls are increasing, food banks are strained, the number of homeless is growing, many of us are outraged by the spending of the senior management in central region. Rather than holding senior management meetings in the boardrooms, the staff frequent resorts and hotels all over southern Ontario and in Metro."

Would the minister tell us if, four days after receiving this letter, she has investigated this alleged abuse and waste of tax dollars? What does she have to say about the spending priorities of her ministry's staff when we hear of food banks and those who are needing assistance and we see this kind of spending by her ministry's senior staff? Could she tell us the results of that investigation?

Hon Ms Akande: Yes, I have received the letter and I have set about, although not as promptly as the leader of the third party has, to ask questions, and those questions are directed.

I would want to correct the member, though, in that he has assumed the spending is excessive and unusual. I was surprised—I might say I was appalled—to find out about the practices of both of our previous governments in terms of the use of hotels and extravagant settings. If anything, we have reduced that spending and we intend to continue.

Yes, I am interested in finding the answers, and when I do, I will share them with the member in this House.

1420

Mr Harris: I would suggest that if the minister spent more time looking at what is going on today instead of re-reading history from 42 years ago, we might have more money for food banks and for the needy and for the hungry.

I was quoting a civil servant in her ministry who is appalled. That is who sent the minister the letter anonymously, because she has not changed the rules as she promised for the whistle-blowing legislation.

While she was asking questions, let me tell her about what is going on next. The SkyDome Hotel has confirmed a three-day extravaganza for senior staff in the central region office at the end of July. Nine rooms have been booked at a cost of \$90 per night per person. An interoffice memo, which incidentally staff are directed to destroy and take out of the computer after reading, says, "There will be a voluntary evening session on July 31, which includes the Cleveland Indians and the Toronto Blue Jays."

Unless these two teams have joined the minister's staff, does she not think this three-day retreat, compliments of Ontario taxpayers, is at the very least improper and irresponsible?

Hon Ms Akande: I must express my appreciation to the leader of the third party for the express information he has given me. I must be clear with this House. Let us be frank. I will deal with this immediately and I do appreciate it. But I am interested in history, because unless we learn our history, we are condemned to repeat it, and that would be the last thing we would want to do.

Mr Harris: The minister had the letter at the same time I had. The Premier had the letter at the same time I had. It is tough over here, with our resources, keeping track of every ministry. One would think the minister could look after her own.

Interjections.

The Speaker: Order.

Mr Harris: I know it is tough for the minister to hear because her own caucus will not shut up but, if they would like to hear, I think the minister has a problem.

In addition to nine rooms, a two-level suite has been booked at a cost of \$350 per night for two nights. That suite is reserved for the director of central region. That director works and lives in Toronto, yet taxpayers are going to spend \$700 to put her up in a luxurious suite at the SkyDome. This may be how Bob White and the Treasurer plan to pay down the SkyDome's debt, but I think it is shocking that, according to this letter, we are going to pay down the SkyDome's debt instead of looking after the poor, the hungry, the homeless and the food banks that were raised by the leader of the Liberal Party.

We have already spent thousands of dollars to give this director a bigger office, colour TV, china for 50 people, so she could hold these things in her own office—redecorated it, a bigger office. While children are going hungry, where are the minister's priorities?

Hon Ms Akande: My priorities are where they always are. I have already expressed some surprise and some concern and I will continue to do so. Let me reiterate my promise to the leader of the third party. I certainly will get complete and specific information and share it directly with the member in this House.

INMATE SECURITY

Mr Carr: My question is to the Minister of Correctional Services. The minister may have read the headline that was in one of our papers in the Hamilton area: "Guard Watched While An Inmate Was Killed." The article said:

"Two guards watched while a 63-year-old inmate was beaten to death by an enraged cellmate in one of the jails. Under jail regulations, the guards were powerless to intervene, an Ontario court jury was told. The third guard had to be present before they could intervene."

What is the minister doing to ensure that incidents like this do not happen in Ontario?

Hon Mr Farnan: All I can say to the member is that our policy is under review.

Mr Carr: The Minister of Correctional Services will also note that one of the staff psychiatrists who was testifying said the man was likely suffering from an acute psychiatric episode, which had started before the victim had arrived at the facility. After this incident, he was moved out of the dormitory and placed in a two-person protective custody cell, which was already housing another individual. We had a situation where a man had been violent with the police, he went into protective custody and, as a result of that, the man died. Why was this individual not put in secure protective custody alone, without another prisoner?

Hon Mr Farnan: Whenever a situation like this occurs within an institution, the matter automatically becomes a matter for an inquest. Obviously when the matter is under review in an inquest, it is inappropriate for a comment to be made. That is very clear.

Mr Carr: My concern is that this may be happening and we may be able to prevent deaths. We cannot afford to wait. If there is a problem, I think what the people of Ontario would like to see is that we take corrective actions in case we have another tragedy on our hands.

This would appear to be a case where an individual with a psychiatric disorder was placed in another prisoner's cell as a result of overcrowding. When the minister was in opposition, he said we should take action to reduce the overcrowding in our prisons. This very clearly is a case where, as a result of the overcrowding, we have now had a death. What is the minister doing to make sure that anybody with any psychiatric problems is not being put in cell with other individuals where he may inflict punishment upon them?

Hon Mr Farnan: Within our system we are responsible for a large range of individuals, many of them requiring treatment. We have facilities that range from Ontario Correctional Institute, where there are very, very excellent treatment programs that compare with the best in the world. It is our continuing intent to give the best level of treatment to all of those within our care. That continues to be our goal. At the same time, the treatment would be geared to the individual. We also have a responsibility for security and for the people who work within our system. We try to balance all of these and we continue to refine the process as we go along.

CHILD CARE SERVICES

Ms Poole: My question is for the Minister of Education. As the minister knows, her ministry provides 100% capital funding for child care centres in new and replacement schools on her priority list. Mr Speaker, you yourself are a Metro member and you are very much aware that in Metro we are not building new schools. However, we are replacing our older schools which desperately need it.

Many of those schools currently have child care centres which should be replaced when the schools are rebuilt, but the Minister of Education is refusing to allow these schools even to go on the waiting list for capital funding for child care. Without this funding, when the schools are rebuilt, the existing child care facilities will not be rebuilt. If these spaces are lost, not only will the associated jobs be

most but more importantly our children will be left without care.

I know of nine replacement schools among the six school boards in Metro where the minister has denied funding for the construction of child care centres. I would ask the minister, when the need has been proven and has been documented, why is she refusing to fund these desperately needed child care centres in Metro Toronto?

1430

Hon Mrs Boyd: The member is quite right that under the current capital allocation scheme, the situation for Metropolitan Toronto means these replacement schools are not entitled to child care funding, as she stated. The Minister of Community and Social Services and I are very aware of this problem and have been talking at some depth about how the Ministry of Community and Social Services, which is the lead ministry in terms of child care, and the Ministry of Education might find some way to collaborate to prevent this from happening.

I should point out to the member that this is a concern not only in Metro Toronto, although it is most urgent in Metro Toronto, but in some other areas where previously unused school space has been converted to child care space and now, with the increased demand, there is a real need for this.

We are very aware of it. We are trying to deal with it as best we can under the recession. We can only assure the member that it is not through lack of caring, but through our need to come up with a comprehensive child care plan that is going to address this and similar issues.

Ms Poole: This is more than a matter of caring; this is a matter of equity. All we want in Metro Toronto is our fair share for child care. By restricting funding for child care to the construction of new schools and by denying it for replacement and renovated schools, the minister has clearly discriminated against Metro. How can she justify it?

She cannot deny that the need in Metro is particularly acute. We have the highest number of single parents in the province and we receive no funding from the province for education. We know the minister has saved \$2 million by cutting the Ontario scholar award. If she insists on making that cut, why does she not do something worth while with the money and give Metro its fair share for child care?

Hon Mrs Boyd: The member is well aware that under the general legislative grants there is a formula that was intended to ensure some equity. It is a formula that is based on the assessment base of municipalities and on an equalized mill rate. Under that formula, Metropolitan Toronto is entitled to no grants, either capital or operating, at the present time. We have indicated very clearly that we do see problems with equity in this. We have made a commitment in this House many times to look at the financing of education, to revisit this whole issue of how are funds are divided in the province, and certainly we see this as a first call.

I should remind the member that during the discussion of Bill 30, we clearly indicated our intention of changing the regulations to allow replacement and renovated schools to include child care facilities. That still will not affect Metropolitan Toronto under the current allocation grants.

The member is quite right that we need to be looking at this and finding ways to attain more equity and funding of education across the province. At the present time, however, until we do that study, we are simply not in a position to change our formula willy-nilly.

ONTARIO ECONOMY

Mr Runciman: My question is for the Premier. Last Friday I met with representatives of the corporation of the city of Brockville and 21 manufacturers representing well over 1,000 jobs in my community. They were expressing concerns with respect to tax levels in this province and administrative costs brought on by legislation, much of it brought in by the former Liberal government. They were talking about proposed legislation that the Minister of Labour and other ministers have talked about.

Today I tabled a resolution from the city of Brockville calling on the Premier to respond to the concerns of these manufacturers, many of whom are suggesting they are going to move out of the province, freeze expansion or even close. Besides inciting 1930s class rhetoric with Conrad Black, what is the Premier planning to do to initiate constructive discussion to resolve the very real concerns of Ontario's business community?

Hon Mr Rae: I appreciate the question. I was meeting with the mayor of Brockville, among others, on Thursday when I had an opportunity to talk very directly to him and to the other eastern Ontario mayors about their concerns. I want to say to the member that I think I have had nearly 100 meetings with members of the business community since 6 September.

At the last meeting I had at the Premier's Council, to which I call people together from all sectors of the community, I made it very clear that there is no room in this province for a return to the outdated views of the 1930s, 1940s or 1950s, that we do have to work together, that this government is interested in working with people and that we are determined to do so.

We have also stated very clearly that the policies we bring forward are ones that are going to be discussed with people. I think the Treasurer yesterday showed this very clearly. We had the industry, the manufacturers, the workers, the environmental community and the dealers all on side, and the Treasurer willing to make a creative change. I think we have shown that we are willing to do this and that we are interested in doing this.

Anyone who is in the Premier's chair has to speak on behalf of all the people. That includes the manufacturers of this province as well as the workers of the province. I am interested in working with the manufacturing sector. I have been talking with them and trying to do my best to work with them since becoming Premier. We are going to continue to do that as we face the most difficult structural change we have faced as a province since the Depression.

Mr Runciman: We have heard a lot of rhetoric in this House from the Premier with respect to co-operation and partnership, but reality is something quite different. The response I got from the mayor of Brockville, when he met with the Premier and other mayors from eastern Ontario and raised these very real concerns of manufacturers in

eastern Ontario, was that the response from the Premier was less than positive, that he was rather agitated that the matter was raised. That is the response the mayor reports to me.

The business community is sounding the alarm bells. The message is loud and clear. If jobs are to be saved, if business is to remain in Ontario and remain competitive, then the policy direction must change and it must change now. Will the Premier commit to a full consultation with the business community and, in his words, "co-operate with business," or is he hog-tied to his ideological view that capitalism is an offence in NDP Ontario?

Hon Mr Rae: I must tell the members that since I have a cottage in the member's constituency, I consider myself at least a part-time constituent of the member for Leeds-Grenville.

The member, whose views and outspokenness are well known in the House, has asked me not to be ideological on these questions and I can assure him that is exactly the approach I intend to take. He said, "Will we consult with business?" Of course we will. We do so with a sense of clear responsibility and with a sense of eager anticipation, because our sense is that the vast majority of business people in this province want to continue to do business in Ontario because they know it is a good place to do business, because the workforce is keen and positive and because the quality and the standard of life have been described, in the latest survey conducted by the World Economic Institute at Davos, as the second-best anywhere in the world.

We happen to think we are in a very difficult period in terms of the economy, but we are determined to work with everyone, I might add including very much the member for Leeds-Grenville.

1440

GRAPE AND WINE INDUSTRY

The Speaker: The Minister of Consumer and Commercial Relations has an answer to a question asked earlier.

Hon Ms Churley: I would like to take this opportunity to respond to the question raised yesterday by the honourable member for Leeds-Grenville and, I hear, part-time MPP for the Premier.

It is important that I take a moment to answer this question now, as promised, because after looking into this issue for the member, I realized the reason I had such trouble answering the question. I remembered that when I heard the member's statement a month ago, I had the same trouble with it. The problem is that the question and the statement were distorted; there were inaccuracies in his basic premise. I would like to answer it now.

The member talked about the purchase of surplus grapes by this government. This whole argument seemed to be based on that premise. In fact, it is the federal government that purchases the excess grapes, not the provincial government. We help the grape industry in other ways, but it is the federal government.

He also implied that the LCBO gives preferential treatment to foreign brandy products. This also is not true. The

Liquor Control Board of Ontario carries a wide variety of brandy—

Interjections.

The Speaker: Would the member take her seat for a moment, please.

Mr Mahoney: I am just trying to help you, Mr Speaker.

The Speaker: I appreciate the help of all members. At this point the greatest help you could be would be to remain quiet so that I can hear the response. I ask the minister to make her response as succinctly as possible.

Hon Ms Churley: I am not sure the member who is concerned about this question was able to hear. I will continue quickly.

The LCBO does carry a wide variety of brandy, including five different sizes of the Rieder Distillery small cask brandy. I would be happy to further enlighten the member on this issue later, if it so pleases the Speaker at this point.

Mr Runciman: That is a very generous offer, that the minister is going to enlighten me, when I raised this issue yesterday and she was not familiar with it at all. In fact, she still does not have her facts straight.

The reality is I was talking about the LCBO not purchasing brandy from an Ontario producer. I am not talking about it having products on the LCBO shelves; of course it does. I am talking about products carrying the LCBO crest, the Ontario crest, that are purchased from France. They are not purchasing Rieder brandy. Rieder brandy is in its own bottles on the shelves of the LCBO. I posed the question to the minister, why does the LCBO not start supporting an Ontario producer, an Ontario distillery and start purchasing brandy from Rieder? It is as simple as that.

Hon Ms Churley: The member still does not have the story straight on this. As I just said, the LCBO sells this particular type of brandy, five different sizes of it, in all its stores across Ontario.

Interjections.

The Speaker: Order. Will the member take her seat, please. It is not productive to simply shout at each other.

MENTAL HEALTH SERVICES

Mr H. O'Neil: My question is to the Minister of Health. Last year, in response to a questionnaire circulated by the Ontario division of the Canadian Mental Health Association, the Premier stated that he fully supported the Graham report which established a comprehensive model for community mental health services and that he would urge the government to implement it.

Now that the member for Beaches-Woodbine is the Minister of Health, would she explain why we have heard nothing about the Graham report, which emphasizes community-based mental health delivery, and can she tell us, what is her timetable for implementation?

I raise this because I am told by officials of the Hastings-Prince Edward county community mental health program in my riding that there are waiting lists of up to anywhere from three to six months in our area. These are people who

require counselling for mental health, suicidal tendencies and sexual abuse.

Hon Ms Lankin: I can give a preliminary response to the member today. I cannot be completely detailed in terms of the time frame at this point in time for implementation. The ministry has been working, as the member is well aware, on a number of the recommendations from the Graham report. Our government is very committed to those recommendations.

I have been reviewing some of the suggestions flowing from the ministry coming out of that, with respect to the community advisory boards working with the psychiatric hospitals and the regional structures that might be put in place to work with the community mental health side of it, in conjunction with some of the planning that would implement those Graham recommendations.

We are currently working on that. In the time I have been in this portfolio it is something I have been getting up to speed on and intend to move ahead with. I cannot give the member an actual time frame right now—and that is not a matter of stalling; I personally do not know the time frames involved yet—but I will get that answer for the member.

Mr H. O'Neil: The next question I am going to raise is going to have some shocking figures, at least figures that are very shocking for me. Fundamental to the Graham report is the sense that mental health services need to be integrated to make them responsive and accessible to all who need them. Yet the system in the Hastings and Prince Edward area is so fractured that case loads are being juggled in order to respond to demand.

Even more horrifying is the incidence of suicide over the past 12 months. Staff of the community mental health program in Hastings and Prince Edward counties, a service for children and adults, are aware of seven suicides among teenagers and 22 adult suicides in the last year. I relate that again to the three- to six-month waiting list. Community mental health services in Hastings and Prince Edward counties have submitted a proposal for additional staff to serve the area. We have a crisis in our area. Can the minister tell me how she is prepared to act on it?

Hon Ms Lankin: The member for Quinte indicates that a report has been submitted from the group, and I will undertake to review that report expeditiously. However, I know reports such as that are being activated from many areas around the province through the district health councils and through working with the mental health community out there. Quite frankly, I share his sense of urgency about moving in this area. Some of those reports are further developed in both their community development and the review by the ministry. I know the areas of Durham, for example, are looking at the catchment area for Whitby Psychiatric Hospital and the community mental health services there. That has been under review for some time and there are some suggestions coming forward in that area.

I will undertake to look at the specific report the member is referring to, from that area of the province, but I suggest it is in the context of a shortage of services across the whole province that need to be addressed.

PAY EQUITY FUND

Mr Eves: I have a question of the Minister of Health in her capacity as Chairman of Management Board of Cabinet. The hospitals in Ontario have been waiting for approximately four and a half months to access the pay equity assistance fund initially announced by the Treasurer on 11 February 1991. At that time he announced some \$100 million was being set aside by the Treasury. Then in his budget of 29 April he announced that a further \$25 million was being set aside to help with pay equity costs for different transfer agencies such as hospital boards, municipalities and boards of education across the province.

Hospitals across this province have been closing beds and laying off staff. As my colleague alluded to earlier, a university hospital in London last week announced the closing of the entire ninth floor; 57 beds are being closed and between 75 and 100 people are being laid off at this one hospital alone. Could the minister please tell the House, and more particularly the hospitals in the province, why they have had to wait almost a quarter of the way through the fiscal year and still have not gained access to this fund?

1450

Hon Ms Lankin: The member raises a number of issues in the preamble to his question. I would like to try to address a couple of those so I can give him as full an answer as possible.

With respect to the hospital budget process, as I have responded a number of times to the member for Scarborough-Agincourt, who has raised this issue, as of next week we should be receiving all of the budgets from the hospitals. The deadline is currently the middle of June. We will have a chance to review the implications of those budget cuts in a number of areas. Having said that, there are also a number of formulas of growth and equity funding. We are reviewing the reports from the various hospitals to try to put this in place.

I met with the Ontario Hospital Association on Friday morning, with the assistant deputy minister of institutional health there, and I gave an undertaking to expedite that process and get that money to the hospitals this fall. We are working closely with them. They admitted that the hospitals themselves are part of the problem.

Mr Speaker, you are getting anxious but there were several parts to the question.

With respect specifically to the question about pay equity funding that the member raises, the Ministry of Treasury and Economics is currently working—

The Speaker: Would the minister take her seat, please. If it is of help, sometimes if there are quite detailed responses to the members they might best be put in written form or on Orders and Notices. We do try to limit the amount of time for responses.

Mr Eves: With respect to the minister's remarks, I have talked to the OHA. Officials there tell me they have asked her ministry several times how they could access this fund and, including her meeting with them last Friday, they are still in the dark as to how they can access it. In fact, they indicated to me that she told them they should be

contacting the Treasurer to see how they could access the fund. This does not coincide with what the Treasurer said on 11 February in this House when he stated, "The ministries responsible will be in touch with the major transfer groups to explain how to access these funds."

The OHA says that it has been in touch with her ministry several times and that her ministry does not know how to access the fund. They claim she indicated to them on Friday that they should talk to the Treasurer. The Treasurer said on 11 February that they should talk to her. What is going on over there and why can these people not get access to this money?

Hon Ms Lankin: That is a fair question. With all due respect to the ruling of the Speaker, I have to say that if members are going to ask very long, detailed questions, it is only fair that we get a chance to respond or we will be criticized by the members of the opposition.

Specifically to respond to the question the member asked, I did meet with the OHA on Friday morning. I genuinely do not recall suggesting to them that they should contact the Treasurer; I believe I said those discussions were ongoing with Treasury. If I left that impression with them, it was incorrect and I can correct that and speak with them directly.

The member is quite correct that our ministry will be giving them the response directly. That is what the Treasurer said and that is what we will be doing. We are currently working with the Ministry of Treasury and Economics to develop a plan of how the transfer payment agencies will access that. The member is right in that we have not got that finalized yet. We have informed the OHA of that. I told them that as of Friday morning and we will get to them as soon as we can with a response.

The Speaker: The Minister of Natural Resources has an answer to a question asked previously.

ROUGE VALLEY

Hon Mr Wildman: Yesterday the member for Timaskaming raised a question with regard to an area of natural and scientific interest, an ANSI, in Pickering near the Rouge Valley. I have some details in response to that question.

Interjections.

Hon Mr Wildman: Does he want an answer or not? The proposed subdivision development is adjacent to the Rouge River ANSI that was referred to in my response yesterday. The ministry has not identified a great blue heron nesting site actually within the 55-hectare Bramalea development area. The ministry will continue to protect the species where their rookeries are located in the Rouge Valley.

The development has been given draft approval and commitments have been made by the municipality under the Planning Act, but last night the municipality deferred final approval until August. The ministry is currently reviewing the subdivision plan to determine the impact of storm water runoff on the surrounding area. We had engineers on the site yesterday and are looking for the developer to

ensure that the storm water concerns will be addressed effectively and sensitively.

I will work with my colleague the Minister of Municipal Affairs to review the proposed development and look to the councillors in Pickering to ensure that the local environmental considerations are addressed in the future.

The Speaker: Order.

Hon Mr Wildman: The members obviously do not want the answer.

Mr Ramsay: I am quite happy to have the answer. I just would like to raise a point of order, Mr Speaker: Is it appropriate and part of the rules of order of the House that after a minister has given an answer to a question properly laid on the previous day, the minister has another opportunity just to stand up and volunteer another question?

The Speaker: A point of order, yes, indeed. When members ask questions to which the minister promises a response, the minister then can respond, to which the member who originally asked the question has an opportunity for a supplementary in answer to that, of course, and then back to the rotation normally followed, in this case another member from your caucus. So the member may pose a supplementary if he wishes.

MINISTER'S OFFICE

Mr Scott: I have a question for the Minister of Community and Social Services. I want her to understand that it is a frustration to the opposition, which gets only about four or five questions each day to ask of ministers, when an important question about food banks and homelessness in Toronto is put aside by generalities of the type we had this afternoon in response to my leader's questions.

If we cannot get specific answers from the Minister of Community and Social Services, I wonder whether she can answer these specific questions. We have been advised that in the last few months, notwithstanding the enormous difficulties in funding food banks, the minister was able to allocate, dredge up and spend more than \$56,000 redecorating her personal office in the ministry, which was fine when Charles Beer left it.

Will the minister explain why and on whose authority she expended that money, and would she be good enough to tell the people in my riding of St George-St David, which is an enormous homeless and food bank community, how many children would have been fed if that money had been spent on food banks and not on redecorating her couch?

Hon Ms Akande: I am very happy to have this question. As a matter of fact, the member is incorrect. He may visit my office if he doubts that, and so may the others in the opposition. I have not redecorated my office. I have replaced the rug and—

Interjection.

The Speaker: Order.

Hon Ms Akande: The carpet has been replaced. The boardroom to which the member refers is now the boardroom of the deputy minister. The carpet has been replaced because of an allergy to mould. We found that mould was growing within the office. There has not been a redecoration of my office.

Mr Scott: I would like to have from the minister an account of what was expended on the decoration of her office. I understand decoration may have another kind of meaning in other parts of Toronto, but for me the purchase of a new rug is decorating the office. I would like to have in the House, from the minister, at the first available opportunity, a list of the purchases that were made to redecorate her office and the cost of them. I do this not because I am opposed to new rugs; I do it because in Metro Toronto the demand for food banks has increased 40% over the year. Can I have the minister's undertaking to have that information tomorrow?

Hon Ms Akande: I would gladly present to the member the information concerning the redecoration of my office. I hope that at that time it will be appropriate for him to correct the information he so eagerly got about its cost, because it is inaccurate. The laying of new carpet is necessary because of health conditions within the office.

1500

APPRENTICESHIP TRAINING

Mrs Cunningham: My question is for the Minister of Skills Development. I do not see him here right now. The ministry has not told us he would be away. If he cannot be found, I will put the question to the Minister of Education. I am sure she is aware that in London the trustees recently backed a plan to expand technological studies to all classrooms. They talked about the importance of stressing the need for teaching, technology and technological training in our elementary schools.

This information is not new. It is something that should be done. It has to be encouraged from time to time, but it is absolutely not a major breakthrough in the delivery of education in Ontario. What is needed is co-operation among the Ministry of Education, the Ministry of Skills Development and the Ministry of Colleges and Universities to get those apprenticeship training programs down into the classrooms where they are most important, where they can not only help our young people become skilled, help Ontario become more competitive but, more important, where they can actually help and support young people to stay in school.

Can the minister advise this House today as to what steps she has taken in moving apprenticeship training programs into the elementary and secondary schools, or specifically the secondary schools, where they are definitely needed?

Hon Mrs Boyd: I am very pleased to answer the member for London North. I too was very pleased that our local board of education passed that resolution and I know that the technological renewal grants we have given from the Ministry of Education will assist it and many other school boards across the province to do so.

The Ministry of Education is involved in the restructuring of education. The first piece of that restructuring was to look at the needs for technological education. The consultation that has been out among educators in the province for some time is now complete and the analysis of the feedback from that consultation should be available in the early fall for the major conference where we plan to look at where we are with restructuring.

We are working on with it well. We are working together with the Ministry of Colleges and Universities, particularly in terms of the linkages that were recommended in the Vision 2000 report, to ensure that we are linking together the elementary, secondary and post-secondary educational areas in this field.

Mrs Cunningham: Certainly I have been a school board trustee for many years and this change has been necessary for at least the last decade. All previous governments did not act when requested to do so by the young people in this province.

The Minister of Education knows and I know that the ratios of apprentices to journeymen are not sufficient, nor have they been changed or looked at. We need more placements for young apprenticeship people in the province. We have talked about business, government and labour working together; I have not been particularly successful in getting that working. Really, this province and country are sick of rhetoric. What specifically have the minister and the Minister of Skills Development done in order to talk to both business and unions about changing those apprentice-journeyman ratios to date?

Hon Mrs Boyd: At the present time I can certainly tell the member that we have been quite concerned about it. The various actions that could be taken have been discussed on a number of occasions. It is certainly a major issue for the Premier's Council on the Economy and Quality of Life. At the present time, the discussion centres around how to improve that ratio, given the reluctance there has been on the part of many members of our community to do so, and how, from our point of view in education, we can more effectively improve the vision and value of the whole apprenticeship program.

We find that our major task in the elementary and secondary schools is encouraging students and their parents to recognize the value of skilled trades and to try to enter into those. We need the assistance of business and industry and labour in order to raise the profile of those very important professions. We are working hard to do that in our sector and are prepared to work well with Skills Development and the Premier's Council in terms of this issue.

ENERGY CONSERVATION

Mr Mills: My question today is for the Minister of Energy.

My constituents have told me through householder mailbacks that one of the most important issues of concern to them is the environment. I know this government's new energy directions show its commitment to the environment by emphasizing conservation and efficiency. How will the proposed changes to the Power Corporation Act further this policy direction and help Ontario Hydro encourage conservation and efficiency?

Hon Ms Carter: It is a pleasure to be able to inform the House how this government is putting Ontario in the lead in North America in energy conservation and efficiency. We are encouraging and enabling Ontario Hydro to look at all energy options and to consider the best interests of the environment and the consumer in making its decisions. A key amendment to the Power Corporation Act

allows Ontario Hydro to encourage fuel substitution. For example, in home heating, where natural gas is available, there are environmental and often cost benefits in its use. This will allow Hydro to support the delivery of the type of energy which is most appropriate to the end use.

The Speaker: The time for oral questions has expired.

USE OF QUESTION PERIOD

Mr Elston: On a point of order, Mr Speaker: When the member for Algoma, the Minister of Natural Resources, stood and said he had an answer to a question previously asked, I would have joined the fray at that point, but my colleague the member for Timiskaming stood and raised a point of order.

I think it is quite clear, as we reviewed the Hansard from before, that the minister had never really indicated he was coming back to the House. What he was doing was providing a supplementary answer to a question he already answered yesterday. He answered both parts of the question, and I think, more just for guidance, it happened to be the member for Durham East, and luckily on the third try he finally got his question in. But the member was disadvantaged and there was no indication that the material the honourable minister was providing to us, although helpful, could not have been sent by dispatch to the member for Timiskaming, rather than coming into question period and actually taking up some more time at that point.

I think it is quite clear there is room in the standing orders, when he has given an undertaking to return with an answer, that he can very well do that. There was no such indication in a review of Hansard. I wish to bring that to your attention only so we can progress with the question period. At that stage, Mr Speaker, we also sort of lost several minutes on the clock.

I just bring it to your attention for information purposes and ask that if people have more material to provide after a question has been asked, maybe they should do it by way of a statement, because this likewise could have been done in a minister's statement today, to supplement information we were given yesterday, and it would have then been able to elicit a reply from my colleague. I just think we must be more precise in what the rules allow. I am quite happy when more information is made available, but there are other mechanisms.

Hon Mr Wildman: I take the comments of the opposition House leader seriously. There was certainly no intention on my part to take up the time of the House. I was attempting to provide information following on from the answer I gave yesterday, that I thought would be helpful to the member for Timiskaming and, frankly, the reason I chose to give an answer in this way was to afford the member the opportunity to have a supplementary question, rather than doing it as a statement. That was my purpose and, frankly, I was surprised that he did not take the opportunity for a supplementary. I certainly was not intending to waste the time of the House. The information was important and I was doing it as a service to the opposition member. I apologize if I was out of order.

Mr Ramsay: On this point, Mr Speaker, I would like to thank the member for Algoma for giving me that opportunity.

I did not take advantage of that opportunity because I felt he was out of order and I wanted to bring that to your attention. But I appreciate that opportunity. Obviously, in this case there is a difference of opinion between the Rouge advisory committee and the officials of the Ministry of Natural Resources as to the exact location of this Pinegrove Forest and—

Interjections.

The Speaker: The member for Timiskaming, would you take your seat, please.

1510

Mr Eves: On the same point, Mr Speaker: Just suffice it to say that I concur with the remarks made by the official opposition House leader, in that standing order 32(a) in fact does not make provision where a question has already been answered the previous day and the minister has not undertaken that he or she will take the question as notice and give an answer on a later day. It is inappropriate for the minister to stand up on a succeeding day and then really, in effect, answer the same question twice. If the minister had taken the question as notice yesterday, then he would have been quite proper with what he did today, but that was not the case, as I understand it. I would just bring that matter to your attention.

The Speaker: That is fine. To the member for Bruce, the member for Parry Sound and the Minister of Natural Resources, the point is well taken. The Chair is placed in an awkward position when notified by a minister that he or she has the answer to a question asked previously. Of course, all members are aware that when that occurs and the supplementary is then given to the person who asked the question, in effect the government backbenchers have lost an opportunity to ask a question. That, from a reading of the rules, seems to me to be a balancing with respect to the opportunities for all members to ask questions.

Your points are well taken, and of course along the same line, where there are very detailed questions that would certainly require detailed responses, maybe some of those could be put in Orders and Notices.

MOTIONS

CONSIDERATION OF BILLS

Miss Martel moved that standing order 85, respecting notice of committee hearings, be suspended for the consideration of Bill Pr70 and Bill Pr82 by the standing committee on regulations and private bills on Wednesday 26 June 1991.

Motion agreed to.

PRIVATE MEMBERS' PUBLIC BUSINESS

Miss Martel moved that Mr Turnbull and Mr Cousens exchange places in the order of precedence for private members' public business.

Motion agreed to.

PETITIONS

PROVINCIAL COLLEGES

Mr Daigeler: I have a petition signed by some 34 residents from the Ottawa-Carleton area. The petition reads as follows:

"Whereas Ontario provincial colleges are not required by provincial law to pay sessional teachers the 4% holiday pay that all Ontario employers are required to pay their employees, we request that the Legislative Assembly move to include these provincial colleges in the above mentioned law."

RENT REVIEW

Mr Carr: I am pleased to table a petition to the Lieutenant Governor and the Legislative Assembly of Ontario signed by residents of the Diplomat apartment buildings in Burlington urging the Minister of Housing to review the increases of rent that have occurred at the Diplomat apartment buildings at 5166 and 5170 Lakeshore Road to establish whether these increases are within the legal requirements.

ELECTRICAL POWER PROJECT

Mr Ramsay: I have a petition here:

"Whereas the Chiblow Lake dam site north of Iron Bridge, located at the south end of Big Chiblow Lake, has a proposal submitted for a hydraulic generating station;

"Whereas this proposal involves a major lake-trout-producing lake for the area, a deer migration route and a local scenic attraction;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To halt all proceedings for this project and preserve this unique site from future danger."

I will append my signature to this petition.

AUTOMOBILE INSURANCE

Ms Poole: I have a petition signed by over 100 employees of AXA Home Insurance Co:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas a government takeover of the automobile insurance industry will involve job loss and dislocation for private sector employees; and

"Whereas a government monopoly leads to increased costs through inefficiencies and hidden tax subsidies and eliminates the public's right to individual freedom of choice;

"We believe that the insurance needs of the Ontario public are best served by private industry in an open, competitive, free enterprise market system, rather than a government-run monopoly.

"We want to keep our jobs. We do not want the NDP government to take over the automobile insurance in Ontario."

I have appended my signature to this petition.

TAXATION

Mr Harris: I have a petition that is signed by 5,186 residents of Hamilton and region, all collected by one individual who attempted to present it to the Premier or the Treasurer. They would not accept it, so I am presenting it in the House this way to them. It reads:

"We, the undersigned, beg leave to petition the Legislative Assembly of Ontario as follows:

"We will not tolerate any more tax increases. The proposed budget would push the accumulated provincial debt

to over \$50 billion. This translates into a tax burden of \$5,000 for every woman, man and child in the province.

"Ontario is already the highest taxed jurisdiction in North America. The NDP government expects to squeeze an additional \$1 billion in new taxes out of the Ontario residents next year.

"The taxpayers of Ontario want the provincial government to know that we want a balanced budget now. We do not want increased spending. We do not want higher deficits. We do not want to mortgage the future of our children."

I too have affixed my signature to this petition and I congratulate Mr Bobolo, a nurse from Hamilton, who is here in the gallery to see this petition finally being presented to the government.

FRENCH LANGUAGE SERVICES

Mr Cousens: To the Legislative Assembly of Ontario from approximately 50 people in northern Ontario, Brinston, Dalkeith, Mountain, Sault Ste Marie, Englehart and other communities:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Whereas the French Language Services Act, 1986, Bill 8, continues to elevate tensions and misunderstandings over language issues throughout the province, not only at the provincial but also at the municipal levels; and

"Whereas the current government disputes its self-serving select committee and intends to encourage increased use of French in the courts, schools and in other provincial services to ensure that the French Language Services Act is working well to the best of their concentrated efforts; and

"Whereas the spiralling costs of government to the taxpayer are being forced even higher due to duplication of departments, translations, etc, to comply not only with the written but also the unwritten intent of the French Language Services Act; and

"Whereas the spiralling costs of education to the taxpayer are being forced even higher due to the demands of yet another board of education, the French-language school board;

"We, the undersigned, request the French Language Services Act be repealed and its artificial structures dismantled immediately and English be declared as the official language of Ontario in government, its institutions and services."

I have affixed my name to this petition.

OATH OF ALLEGIANCE

Mrs Sullivan: I have a petition signed by some 100 members of the Halton Regional Police Association, reading as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The assembly shall demand that the government of Ontario rescind its decision to eliminate the oath of allegiance to the Queen of Canada for police officers who must uphold laws that are proclaimed in the name of Elizabeth the Second."

I have affixed my signature to the petition and concur with it.

ONTARIO SCHOLARSHIP AWARD

Mr Sterling: I have a petition from Sarah Lawrence and 27 other Ontario scholars from the Earl of March Secondary School in the city of Kanata.

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario has unilaterally discontinued the practice of awarding \$100 scholarships to Ontario secondary school students who achieve an average of 80% or more on their OAC courses; and

"Whereas the 1991 Earl of March Ontario scholars were not informed of the discontinuation of the scholarship until virtually the end of the school year and therefore feel that they have been treated unfairly by the NDP government of Ontario; and

"Whereas it is the belief of the 1991 Earl of March Ontario scholars that the \$100 scholarship, although small, provides an incentive for Ontario's secondary school students to strive to do their best, and the removal of this award has therefore removed the incentive at a time when illiteracy among residents of Ontario is alleged to be a government priority; and

"Whereas the 1991 Earl of March Ontario scholars firmly believe that inspiring Ontario secondary school students to do their personal best will benefit the province of Ontario; and

"Whereas the Carleton Board of Education has gone on record supporting the position of the 1991 Earl of March Ontario scholars;

"We, the undersigned 1991 Earl of March Ontario scholars, petition the Legislative Assembly of Ontario to immediately reinstate the policy of awarding \$100 scholarships to Ontario secondary school students who achieve an average of 80% or more on their OAC courses and to consider increasing the amount of the award."

I am very proud of these Ontario scholars who took the leadership and gave me this petition to present to the Legislative Assembly this afternoon, and I have affixed my name to it.

1520

PARKING FACILITIES

Mr Harnick: I have a petition from the Pineway Area Ratepayers' Association. It is addressed to the Legislative Assembly of Ontario. It is regarding the Old Cummer proposed GO-TTC service integration improvements and it reads as follows:

"We, the undersigned, wish to express our objection to the recent proposal of the city of North York and GO Transit regarding the extension of parking facilities for the Old Cummer GO station to the area west of the station and east of Pineway Boulevard."

It is signed by 296 residents. It consists of residents on Mandel Crescent, Pineway Boulevard, Adamede Crescent and all the other areas in the immediate residential area where the proposed parking lot is due to be constructed. I have affixed my name.

SOCIAL ASSISTANCE

Mr Turnbull: I have a petition signed by several hundred people. It reads as follows:

"We, the undersigned, beg leave to petition the Legislative Assembly of Ontario as follows:

"To halt the recommendations listed in the first report of the advisory group on new social assistance legislation. These recommendations, called Back on Track, are on the desk of NDP Community and Social Services Minister Zanana Akande.

"Already we have the ultimate welfare madness here in Ontario, but key Back on Track recommendations are to eliminate any requirements forcing welfare recipients to look for work, and then, if they are on welfare for 24 months, put them on permanent family benefits, which deem all recipients unemployable, cash for life."

This petition will be delivered to the office of the Minister of Community and Social Services at Queen's Park as well as a copy to the office of the Premier. I have attached my signature.

AUTOMOBILE INSURANCE

Mr Wiseman: I have a petition along the same lines as the one earlier:

"To the honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the government takeover of the automobile insurance industry will involve job loss and dislocation for private sector employees; and

"Whereas a government monopoly leads to increased costs through inefficiencies and hidden tax subsidies and eliminates the public's right to individual freedom of choice;

"We believe that the insurance needs of the Ontario public are best served by a private industry in an open, competitive, free enterprise market system rather than a government-run monopoly."

Only one of the people on this petition is a resident of my riding. The rest are from all over Ontario.

OATH OF ALLEGIANCE

Mr Tilson: I have a petition from the members and friends of the Royal Canadian Legion, Branch 371, in Bolton. It bears 40 signatures:

"Whereas we the members and friends of the Royal Canadian Legion, Branch 371, disagree with the NDP government's decision to remove the oath to the Queen from the Metro Toronto or York county police departments; and

"Whereas this action only further erodes the heritage of Canada in a time when unity is an issue, not only for those born and raised in this country but also for those who chose Canada as their homeland;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We wish to add our voices to the protest regarding the removal of the oath to the Queen for the Metro Toronto or York county police departments."

Mr Harris: I have a petition here that is signed by thousands and thousands of citizens from across this province. It says:

"We, the undersigned, beg leave to petition the Legislative Assembly of Ontario as follows:

"Whereas the government of Bob Rae has placed our heritage in danger;

"Whereas we live in a constitutional monarchy;

"Whereas the symbol of our national unity and identity has been removed;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To immediately restore the name of Her Majesty the Queen to the oath of allegiance sworn by police officers."

As I said, this is signed by thousands from across this province. I too have affixed my signature to this petition and contrary to some, I believe this one is all in order.

BUDGET

Mr Sterling: I have a petition which was given to me by Dan MacMillan of Constance Bay in the riding of Carleton.

"To the Legislative Assembly of Ontario:

"Whereas the NDP budget of 29 April 1991 takes the province of Ontario 180 degrees in the wrong direction; and

"Whereas the only way to end this recession and save jobs in Ontario is to cut taxes and reduce government spending;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows;

"To stop this budget."

That is signed by over 100 people from the riding of Carleton. I have affixed my name to it.

INTRODUCTION OF BILLS

FIRE MARSHALS AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LA LOI SUR LES COMMISSAIRES DES INCENDIES

Mr Farnan moved first reading of Bill 131, An Act to amend the Fire Marshals Act.

M. Farnan propose la première lecture du projet de loi 131, Loi modifiant la Loi sur les commissaires des incendies.

Motion agreed to.

La motion est adoptée.

Hon Mr Farnan: This bill will give the fire marshal and assistants authority to deal more effectively with threats to environmental and public safety and to life safety by taking appropriate commonsense action. Just to dispel any doubt that was raised in the House earlier in the day when a Liberal member of the House suggested this bill was merely a reintroduction of the previous Bill 228, that is not the case. The previous bill dealt only with environmental hazards, and this of course goes beyond that. It deals with environmental and public safety and life safety. It is a piece of legislation that the fire community is very supportive of and has waited for and is enthusiastic about.

COUNTY OF SIMCOE ACT, 1991

LOI DE 1991 SUR LE COMTÉ DE SIMCOE

Mr J. Wilson moved first reading of Bill 132, An Act respecting the Amalgamation of Municipalities in the County of Simcoe.

M. J. Wilson propose la première lecture du projet de loi 132, Loi concernant la fusion des municipalités du comté de Simcoe.

Motion agreed to.

La motion est adoptée.

Mr J. Wilson: The purpose of the bill is to prevent the amalgamation of municipalities in the county of Simcoe where the municipalities do not consent to the amalgamation. During the election campaign the Premier indicated he would not, and his government would not, force the restructuring of municipalities in Simcoe county. Subsequent to the election campaign, the NDP member for Simcoe Centre also has indicated he would not force restructuring in Simcoe county.

I believe this bill I am introducing today fulfils the commitments made by both the Premier and the member for Simcoe Centre and I am looking forward to the government's support of this bill when we resume sitting in September. I am also pleased to report today that my colleague the member for Simcoe East supports this bill. That is important because municipalities are being forced to restructure in his part of Simcoe county also.

1530

PUBLIC SECTOR FOOD SERVICES ACT, 1991

LOI DE 1991 SUR LES SERVICES D'ALIMENTATION DU SECTEUR PUBLIC

Ms Haeck moved first reading of Bill 133, An Act to require Public Sector Institutions to serve Food grown in Ontario.

M^{me} Haeck propose la première lecture du projet de loi 133, Loi exigeant des établissements du secteur public qu'ils servent des aliments cultivés en Ontario.

Motion agreed to.

La motion est adoptée.

Ms Haeck: The bill would require public service facilities in which prepared foods are provided to use only food grown or wholly manufactured in Ontario. The bill would also require that any wine provided in the public sector facilities be Ontario wine. An exception would be allowed in the case of fruits and vegetables which are either not grown in Ontario at all or in sufficient quantity, but only if no Ontario-grown fruits or vegetables that are available in sufficient quantity would be a satisfactory substitute in relation to cooking and nutritional needs.

A public sector body or organization receiving provincial funding could have its funding eliminated or reduced if it was found that a facility on its premises was providing non-Ontario food or wine.

UNSOLICITED FACSIMILE TRANSMISSIONS ACT, 1991
LOI DE 1991 SUR LES TRANSMISSIONS PAR
TÉLÉCOPIE NON SOLLICITÉES

Mr Cousens moved first reading of Bill 134, An Act respecting Unsolicited Facsimile Transmissions.

M. Cousens propose la première lecture du projet de loi 134, Loi portant sur les transmissions par télécopie non sollicitées.

Motion agreed to.

La motion est adoptée.

Mr Cousens: When this House considers this bill, it will have a chance to put an end to unsolicited facsimiles. Those people who end up wasting all the paper from those who send the unwanted fax that has no business purpose are just soliciting some kind of attention for themselves. When we consider this bill and pass it in private members' period we will have a chance to clean up the air waves from some of the garbage people are sending on our fax machines. This is a fax bill, so let us make sure when we consider it that it gets through second and third reading.

ORDERS OF THE DAY

WANT OF CONFIDENCE MOTION: GOVERNMENT POLICIES

Hon Miss Martel: I ask for the unanimous consent of the House to proceed with this resolution as we did last week with the non-confidence motion put forward by the Liberals, that we split the time equally among us and that we move to a vote at about 5:50 this evening.

Agreed to.

Mr Cousens, on behalf of Mr Harris, moved that the government has lost the confidence of this House because:

(a) Its fiscal and budgetary policies are undercutting Ontario's economic competitiveness, discouraging investment and encouraging the outmigration of Ontario firms, and because these policies will impose an intolerable burden of debt on future generations of Ontario taxpayers and are having a negative effect on cost-sensitive Ontario industries such as the tourism industry, manufacturing industry and the trucking industry and are exacerbating the problem of cross-border shopping.

(b) In spite of its rhetoric on the need for partnerships, the government has practised arbitrary and secretive decision-making, as exemplified by its unilateral decision to change the oath of allegiance to the Queen and has failed to engage in meaningful consultation with the Ontario business community as evidenced by the debacle surrounding the legislation to establish a wage protection fund, Bill 70.

(c) The Premier has diluted and failed to enforce the principles established in his own conflict-of-interest guidelines and consequently the government has failed to meet what it described as its first challenge, to earn the trust and respect of the people of Ontario.

Mr Harris: I do not plan to speak at great length today. Many members of my caucus would like to get their views on the record. So while some of them are in committee, trying to catch up on the government business—

never have I seen such incompetence, even ordering the schedule of business since this government came in—I know they will be able to come forward into the House. I will not be able to get—

Interjections.

The Deputy Speaker: Order. Let's make sure we start on the right foot, okay? Just keep it down, please.

Mr Harris: I know not everybody in my caucus who wishes to speak will be able to get on, but I am going to try to provide an opportunity for as many of them as I can.

This motion is pretty self-explanatory and straightforward. I believe 90% of the public of Ontario agrees with it. Any intelligent observer of politics and of the Legislature since 6 September to this date of 25 June would agree it has been an unmitigated disaster, a disgrace, a terrible period in the history of this province.

This motion refers to three separate parts. I wish to deal with each of the three briefly in ascending order of importance. Part (c) talks about the guidelines. This is the least important, quite frankly. The long-term damage being done to this province; the opportunity being destroyed for our young people; the taking away of hope of opportunity for the have-nots in our province; the absolute disgrace that we are saying to those young people, to those who have not been able to share in the blessings of this province, "We are going to choke and thwart and take away that opportunity for you even more."

This direction the government is going in is allegedly on behalf of those same have-nots it is absolutely destroying. This philosophy of taking from the rich and giving to the poor does not hurt the rich, it does not hurt the haves. They have many options. That is the most important part I want to talk about, this blind, doctrinaire philosophy of a party that was a good lobbyist for causes and now cannot get out of its mind when it is the government that it must stop lobbying and arbitrate in bringing people together from all sides in finding commonsense solutions to the problems.

1540

The guidelines, I say, are the least important of the motion, but it is an important signal that here is a government that says one thing, that has all the rhetoric. For 10 years in opposition, the member for York South, the holier than thou, smartest, shrewdest person, knew every guideline, knew every nuance of what any cabinet minister ever did in all the time he was in Ottawa and was here in Queen's Park, knew what the conflict guidelines should be, knew when any minister walking down the street was even possibly thinking of contravening either a guideline in the sense of personal gain, or more importantly, perhaps, because we have seen it abused so many times by this government—not personal gain guidelines being broken so much as the guidelines that go to the heart, the core and integrity of our justice system, of the police, of our courts.

When we are dealing with these we are not dealing with my guidelines, we are not dealing with Liberal guidelines, we are dealing with the Premier's guidelines, the man who said: "I will have the toughest guidelines and we will adhere to them like nobody before us. We care more than the Liberals. We care more than the Conservatives.

We care more than anybody in the world about these guidelines. We treat them more seriously than anyone has ever treated them." Eight ministers systematically in a period of nine months have broken and violated those guidelines. I suspect they did not understand them, but why did they not understand them? Obviously the Premier did not treat them seriously because he did not explain.

I do not believe the Minister of Northern Development sat down and said: "I'm going to write a letter to the College of Physicians and Surgeons of Ontario. I know it's against the guidelines, I know the Premier is supposed to sack me if he finds out, but I'm going to write it anyway." I do not believe that. I believe she did not know she was breaking the guidelines and I said so when she came forward with her apology, which I accepted.

The Premier is the one who said, "We treat them seriously," and he refused obviously to even bother explaining the guidelines so that relatively intelligent ministers—and then there is the other category of ministers who are obviously going to take a lot more explaining—understand. It is typical of the NDP led by Bob Rae who, holier than thou, knew all the answers. Now we see that not only are they fallible, which of course as human beings they are, but they are more fallible, if you like, than any other government we have seen in the history of North America.

Furthermore, they do not have the courage and the gumption to stand up and admit they were wrong. I see the Minister of Community and Social Services at taxpayers' expense send a newsletter out saying: "We're different. We're a party. We're a government that is human and we'll make mistakes, and when we make them we will admit them. This is a desirable quality, it is what the public of this province are asking for." They have all the rhetoric down pat, they can read the polls with the best of them, but in practice the Minister of Community and Social Services has never once said: "I'm sorry, I apologize. We made a mistake." Not once. I asked her in the House: "You say this in your newsletter. Could you tell us one mistake you've made in nine months?" She could not think of one. We have abuse after abuse, waste after waste in her own ministry; I brought three examples forward today. Did the government ever say, "I'm sorry, I made a mistake"? It has not. It does not deserve the support of this House or the right to govern. It does not deserve it by its actions over the past nine months.

The second aspect of this motion, part (b), again I say, now more important than part (c) and not as important as part (a), talks about partnerships. I have heard the rhetoric. I hear the word "partnership" from the minister and the Premier two or three or four times in this House. We see it in speeches. We see it as they travel around the province: partnership, partnership.

Yes, there is partnership with Bob White. Yes, there is partnership with the big unions. But when it comes to taxpayers and ordinary people, ordinary Ontarians, working men and women who do not belong to a large union, small business people and large business people, those who create the jobs, the entrepreneurs, the doers, the risk-takers, the investors, what kind of partnership do they have with them? What it is called is, "We spend and you pay, partner." That

is the only partnership we have seen from this government when it comes to the taxpayers, the entrepreneurs, the business community, the doers and the job creators in this province.

The number of unilateral decisions that have been made by this government is appalling, again at the same time as it has championed the cause of consultation, of partnership. When we look at legislation, we look at Bill 70 and the obvious lack of consultation the fact that 99% of it had to be gutted. I give the Premier credit for overruling and shaming the Minister of Labour from Hamilton in just saying: "We have gone too far here. This isn't workable. There won't be any directors left to volunteer or profit-making companies. There won't be any companies left." Somebody woke up a little bit on that one. Had there been consultation before that would not have happened.

We have seen it in the gas guzzler tax. There, fortunately—I do not for one minute not believe anything to the contrary—had Bob White not come forward and stood side by side with me in that fight against the budget, we would not have been able to get that tax changed. It is an example that when the Canadian Auto Workers and Bob White and those workers of the province join hands with Mike Harris and the Ontario Progressive Conservative Party, we will get things done in this province. When we work together, we can make sure there are jobs, and good paying jobs, in this province for working men and women all across Ontario.

We need partnerships. They have read the polls. They have the rhetoric down pat. But the examples they have been setting have been disgraceful. The partnerships need to be built. If we are going to come forward in this province and be able to restore the opportunities that were here for so many years for so many people—the environment, the clean water, a facility for taking care of garbage in an environmentally sensitive way—if we are going to be able to look after those people, we will need help, a hand up; not money to stay at home and do nothing, but a hand up, education, retraining, apprenticeship programs, perhaps relocation. If we are going to truly be able to help people the way we once helped them in this province, they are going to have to bring new partnerships that have never been before.

They are going 180 degrees in the opposite direction. They are insulating themselves itself. They are not using any common sense in dealing with these problems.

I give the the Quebec example. The Liberal government in Quebec—not at all like its Liberal colleagues here—over the last five or six years has cut taxes, got more competitive and said, "We've got to be able to compete." Ontario, thanks to 42 years of proper, sensitive, right-balanced government, is a more appealing jurisdiction to locate business and create jobs in than Quebec, so they moved in the opposite direction while the Liberals in Ontario started us down this path of destroying this province of opportunity.

1550

I want to mention the Liberal government of Quebec over this period of time. I want to mention the relationship they have built up with unions and with business. They recognized they were in a recession in Quebec, that they

could not meet the payroll, that they could not balance the books and that they had problems.

They went to the unions and they said, "We think there should be a wage freeze for all those in the public sector, zero increase." They said: "Those of us in the public sector—the Premier, the cabinet, the members of the Legislature, teachers, nurses, civil servants—have these guaranteed, recession-proof jobs. We have these pretty good pension plans. It's not fair for us to be taking an increase in wages while the brothers and the sisters in the private sector are laid off and hungry." The government of Quebec said there would be a wage freeze and the unions in Quebec said: "We agree. We'll stand with you, government. We will help fight this recession, not on the backs of the poor, of the unemployed, but we will share."

That is partnership. That is working together, bringing unions and government and business together. What did we do in Ontario? We wanted partnership, and we have given up obviously with the business community, with the large and small taxpayers, with municipalities, with school boards. They wanted to have that one partnership with that big body of people that pays all the NDP bills, the big unions with their checkoff that give them all the money.

How did they develop its partnership with the big unions? The Chairman of Management Board, responsible for negotiations with this body she used to be president of, put on a new hat, opened the door to the vault, threw it wide open and said: "Walk in. Take whatever you want, and then some, 6%, 8% or 10% increases and then merit pay. What is merit pay? Merit pay is that when you show up you get 4% or 5%. If your attendance is good all year long, you get 6% or 7%. If you actually do the job, you are paid to do, you get 7% or 8% on top of inflation, on top of the 6%.

Then there are those senior civil servants making \$60,000 to \$110,000. The minister said there would be up to 20% increases for them. Why? She said, "We've got to keep them in the public sector." They want to rush out, commit suicide in the private sector and be laid off, I guess. So we have to give them a 20% raise—\$100,000 a year and 20% to keep them in the public sector. They were not looking for any jobs in the private sector. There are none. Those jobs are going to New York. They are going out west. They are going to Quebec.

In Quebec the public service said: "We'll help. It's our duty to be responsible." That is the kind of partnership they had. In Ontario it is, "Open the vault and take what you want," to buy peace from those people who pay the NDP bills. It is a disgrace. It is time it was exposed and it is time the people of Ontario understood that when it comes to its own vested interest, the NDP will sell its soul and the people of this province down the drain to keep the money flowing into the coffers to the party.

However, I want to talk about section (a) of this motion because this is the section—the budget, the fiscal and budgetary policy—that my six-year-old son will pay a horrendous price for, that all our children, all the students, those not working yet, will pay a horrendous price for: the budgetary policy, the deficit, the massive accumulation carrying on from the Liberal spending. They started us

down this slippery slope and now the NDP is taking us even farther.

I think back 20 or 25 years ago when the federal government had a fiscal policy where at least it had the ability to pay the interest on the debt. If their total spending they were paying 10, 11 or 12 cents on the debt. Then a succession of Liberal governments started the spending increases, just like the Liberals here. The times were good during the first five years. The money was rolling in and they doubled spending over a period of about four or five years. That is what the Liberals did to this province. But times were good so it was okay.

Then a recession came, a little downturn, as they always do. They said, "We've got to carry on this spending and more." Then the debt started to go up and it is now out of control, as we know, at the federal level. It is a disaster. It is something we all must be trying to come to grips with. What is this province doing? Is it trying to help the federal taxpayer? No, it continues to spend 10% or 12% increases and says to the feds: "We want more and more money, even though there is your \$30-billion deficit this year. We want more and more of your money. We want to spend more here in the richest province, Ontario."

We are embarrassing this country. Every other province is struggling to keep up. All other nine provinces are struggling to keep up. In Ontario it is spend, spend, spend more money on new programs. It does not matter if they cannot afford them in Newfoundland. It does not matter if they cannot afford them on the prairies. It does not matter if they cannot afford them in the Maritimes. We are greedy; we want them here in Ontario. If there is ever a divisive factor in the whole constitutional question, it is the massive lack of understanding and spending by the former Liberal government and this NDP government. They are destroying this country and this province.

When you talk about western alienation and about the concerns in Newfoundland, those concerns are saying: "The province of Ontario is out of step with the whole world. They still want more. They want to grab all the wealth for programs. We cannot even afford to half keep up to the programs that they have, and they want to keep going with more and more." It is upsetting this country. It is very harmful in the whole debate over the Constitution.

The NDP and the Premier have talked about those people in the business community who have come forward and gone public, and said that these policies are hurting business and are hurting this province. Premier Rae said, "They're stabbing me in the back." They are not stabbing him in the back. They are up front, face to face, right in front of him. They are drawing attention to it and I applaud them.

Do members know where the back-stabbing is coming from? The back-stabbing is coming from this government. It is stabbing every person in this province who needs an opportunity to get ahead.

Do members know who else is hurting? Those people in this province who are not speaking up, those who are just saying: "The heck with it. I'm taking my money. I'm going to Alberta. I'm going to Buffalo. I'm going to Florida. I'm going to Europe. I'm going to Quebec." You cannot blame those who are leaving, those who are taking their

jobs with them. They cannot make a buck in this province. Why should they invest when the government says, "Why should landlords invest in new housing?" The Minister of Housing says, "I'm allergic to landlords."

They are told ahead of time, "If you invest your hard-earned, after-tax dollars in this province—mortgage your house, work seven days a week to try to get ahead—make those investments, and if you succeed we are going to take it away from you." Do they blame people for not doing that? Why would you do that in a jurisdiction where the government says: "Even if you survive the highest taxes in North America, the most regulation in North America and all the red tape, and do make a buck, we've got a Fair Tax Commission. We are looking at a wealth tax. We are looking at business tax. We are looking at minimum corporation tax. We're going to take it all away from you anyway."

They wonder why somebody will not mortgage his home and invest—entrepreneurs—in this province. Common sense tells you that we are driving the entrepreneurs, the job creators, the wealth creators, out of this province.

I was re-reading some history the other day. Members will recall when 10 or so years ago New York City went bankrupt. Ninety days before they went bankrupt, they did two things. They brought in a wealth tax and they substantially increased the eligibility and the amount of money payable for welfare. In 90 days, all those who needed welfare moved into New York City. That was the place to be. It paid the most. All the money went to New Jersey, because it did not have a wealth tax there, and 90 days later that city was bankrupt. That is how long it takes. They wonder why people are concerned. When there is misguided policy, when there are mismanagers, when there is the waste—we cannot afford four years, before we allow this province to go bankrupt. We cannot afford it.

1600

This is a strong province, this is a wealthy province. We are blessed in geography, we are blessed in climate. We are situated here in this part of North America close to the proximity of this northeastern, North American market. We have minerals, we have trees, we have fresh water, we had an infrastructure that was built up over 42 years. We have good people in this province, good workers.

This province, because of that, much of it no credit to any politician, much of it just the luck of birth, the luck of geography, can take a lot of abuse. We have seen that over the last decade, the taxes, the regulation, the red tape, but we have still survived it all. But that spring is stretched right now to the limit. When they try to take it a notch farther, it is going to snap. We are going to destroy this province unless we can bring some common sense back into the fiscal policies of this government.

That is why I and my party led the fight against this budget. That is why we went on strike. I admit that. I did not like it. I tried reason, I tried logic, I tried debate, but they were not listening, they were not reasonable. So I did something I thought even these guys would understand. I had to go down to their level. I did not like it when I was there, but they understood strike. Now we have full hearings on this budget; we have rollbacks of Bill 70 that is in the

budget; we have Bob White who came and joined with us and we got the gas guzzler tax changed.

If this motion for some reason does not carry today and we get a new election, we get this government recalled, we get the people of Ontario having a say in this fiscal direction, if this motion does not carry today, as I expect it will, we will form new partnerships. We will form partnerships with the trucking unions; we will form partnerships with the men and women who are losing their jobs; we will form partnerships with taxpayers; we will form partnerships with municipalities, with business, large and small; we will bring government, business and labour together in a constructive way, as other jurisdictions have.

I always find it strange when I hear people saying we have to worry about Mexico. Do members know the jurisdictions that are taking our jobs, the good-paying, high-tech jobs? Not Mexico, but Germany, with higher wages than we have, and Japan, with much higher wages than we have. Wages are not the problem. It is government that is the problem. It is the taxation, it is the lack of partnerships, it is the inability to train and retrain and have apprenticeship programs and get the high-tech skills going.

It is that inability to do as Germany has done, as Quebec is now doing. Quebec welcomes the challenges. The people of Quebec said: "Free trade? We love it. Bring Mexico in. Good, because we can compete. We're now operating the way the Europeans are, the way the Japanese are. We have brought the people together. We will have the jobs in Quebec." And they will, if we do not get our act together here in Ontario.

I went a tad longer than I wanted to because I know a number wish to speak. But the people of Ontario deserve a second chance, the people of Ontario deserve an opportunity. The homeless, those who are looking for shelter, those who are going to the food banks, those who are out of work, the poor, the unemployed, the undereducated deserve a chance. The only chance they have in the short term is to throw the rascals opposite out of office. They can do that if members will carry this vote today, this non-confidence motion. They will have an opportunity and we will give hope back to the people of this province.

Mr Sutherland: It is a pleasure for me to join in the debate right now, particularly after the leader of the third party has mentioned so many inconsistencies in his presentation. It left me thinking that he wants to become the Herbert Hoover of the 1990s.

As members will recall, we had a petition presented by the leader of the third party, which had 5,000 signatures, calling for a balanced budget. I found it rather interesting that the leader of the third party went on talking about how no one else would present this.

The petition came from a gentleman in Hamilton who is a male nurse. I think it is great that a progressive-thinking person in a non-traditional role for males decided to go out and get so many people on his view. The leader of the third party said the petitioner was a male nurse who was calling for a balanced budget, and the leader of the third party affixed his name to it.

As I was sitting here thinking, it struck me as an irony that this young-looking person, who has probably just got

into the nursing profession, was talking about a balanced budget when in fact to get a balanced budget, that very person could lose his job. That is the type of significant cut we would be looking at to have a balanced budget. It struck me as being rather ironic that we had that type of petition come forward.

I wish the leader of the third party had been here last week. I see that the member for Renfrew North has left the House, but he gave a very good and far more eloquent presentation than I ever could about deficits we have had in the past under Tory governments, deficits that we had during the Depression, and even more important, deficits that we have had during war. He commented about those deficits being far larger than the one being presented here.

What I want to focus in on is the exact motion. The leader of the third party said this is a very focused motion. I would like to say that it is not very focused and I think his comments clearly indicated how unfocused he and his party really are. For example, let's look at section (b). It is supposed to be an issue about partnership with business, but they bring in the oath to the Queen, trying to point out that that is not some type of partnership.

I want to come back to the question of the budget deficit, because I think it is important that we all have an understanding and that the viewers at home have an understanding of how we got to that deficit. We know we inherited a \$3-billion deficit. We know the increase in that deficit up to \$9.7 billion comes from several factors. One of them is our increased commitment to our partners, our transfer agencies, in terms of welfare costs, because of the number of people who are unemployed due to federal high interest rate policies and free trade, an extra \$1.4 billion. We also know that at the same time those demands are increasing, the federal government is capping transfer payments, and that is affecting our income. We also know tax revenues are down, and at that point we get to \$8.2 billion.

It was interesting listening to the leader of the third party at one moment talk about how wonderful it is that unions are on board with him, claiming the CAW and Bob White, and then the next time saying that he had to go on strike and how awful it is to go on strike and how inconsistent his remarks really were here.

I want to talk about the issue of partnership. As the leader of the third party was wrapping up his speech, he talked about the homeless, he talked about the unemployed, he talked about the uneducated, yet he signed his name to a petition for a balanced budget. How does the leader of the third party really think we are going to provide housing, educate people and provide jobs without spending some money? It just cannot happen. In this budget there was a commitment to an extra 10,000 non-profit housing units, to provide some homes for those people that he mentioned were unemployed.

1610

He also talked about how during 42 years of Conservative government, the infrastructure had been built up and it was a superb infrastructure. As we know, the infrastructure has to be maintained on a regular basis and it takes more than a commitment once every 42 years to maintain that infrastructure, and that is what this government is committed

to do. We demonstrated in many ways our commitment to infrastructure and to partnerships. I want to talk specifically about the partnerships with the transfer agencies. Members will recall the many announcements that came out on the anti-recession funding. Where did most of the anti-recession funding money go to? It went to school boards to help them maintain and repair their schools; it went to municipalities so they could improve their roads; it went to hospitals to help them as well.

Another irony of the third party is that earlier today the member for London North got up and made a statement about University Hospital closing beds. The Tories' Health critic, the member for Parry Sound, got up and asked the minister a question about one floor being closed. What do they think would have happened if we had a balanced budget?

They are full of inconsistencies. As the Premier said time and time again, on one hand the leader of the third party is Dr Spend and on the other hand he is Dr Save. He simply cannot make up his mind. Nowhere in the leader of the third party's presentation this afternoon did we find out where he was going to make out these significant, and I repeat significant cuts, not the saving on 17 letters worth 43 cents. Nowhere did he indicate where those significant cuts were going to be made. Nowhere did he tell the gentleman from Hamilton who was here to present this petition: "Very well. You could lose your job because beds could be closed in Hamilton. Beds could be closed all across the province." The type of cuts they would have to make to get a balanced budget—and that is what they are saying—would be incredible, insignificant. I really think that the third party needs to go back and re-evaluate its strategy here and figure out and be truly honest with the people of this province as to where they are going to make the significant cuts if they are going to balance the budget of this province.

I want to talk about a few other things. The member also mentioned a little bit about retraining and skills development. I find it ironic that a member of the third party talked about how they were in power for 42 years and helped support an infrastructure and developed a very effective infrastructure. Other than the member for London North, who is the critic for Skills Development, who gets up and quite effectively talks about issues related to training and skills development, I never hear the leader of the third party talk about that issue. All I hear from him is talk about tax cuts. We would not be in this situation, we would not have as much restructuring going on if his party, when it was in power for 42 years, had developed an effective skills development policy.

My colleague the member for Dovercourt is also going to speak this afternoon. As we were listening to the leader of the third party, we were talking about the fact that when my colleague was with the Toronto Board of Education, it was approaching the then Minister of Education to talk about issue of apprenticeship training in schools at that time. The reality of the situation is that we have not had an effective skills development policy in this province and it is very sad and unfortunate.

The leader of the third party talked about the hope in the future for young people. As the youngest sitting member here, I consider myself in that category, and I would like to know, when there is not an effective skills development policy for those people who have dropped out of school, how those people are going to have hope. How are they going to have hope if they do not even have the basic necessities in life, a roof over their heads, adequate food? While people have got to go to food banks and continue to go to food banks, they are talking about a balanced budget.

As I said earlier, we know what happened to Herbert Hoover. He was in and he got ousted very quickly. We know what is going to happen to the new Herbert Hoover of the 1990s. He is never going to be elected Premier of this province, and it is a good thing for the people who are really concerned about helping and caring and about supporting people in their greatest time of need. That is what this budget is. We are fighting the recession and not the deficit.

Quite clearly, and it became so evident today, the leader of third party has no sense of focus, no sense of direction, and does not want to be clear with the people of Ontario about the policy direction of the third party. He does not want to let the people know where they are going to make the significant cuts and the impact that is going to have in local communities.

I was proud of this budget. I am proud of this government. It is working for the people of Ontario in the time of their greatest need and showing what a true, caring government can do.

Mr Mahoney: I find it very interesting that the former speaker talks about a requirement for skills development programs. I can understand that. I think most of the members of the NDP should start enrolling in a skills development program of one type or another, because clearly the day is not far off—I am sorry, but it is a fact—when the member for Welland-Thorold will indeed be out in the employment lineup trying to find work, saying: “Well, I had a really good run of four years at the expense of the taxpayer. I really enjoyed life at the trough.”

Interjections.

The Deputy Speaker: Order, please.

Mr Mahoney: I think the government members will find it necessary to plow money into that just to save their own hides.

But I want just for a moment to address this motion. I find a certain sense of irony coming from the tax fighter, the member for Nipissing, saddling up beside Bob White and all the brothers and sisters of the labour movement. I find it rather a tremendous sense of irony that he would stand there and say he is fighting with Bob White. He did not say he was fighting with Leo Gerard. I guess he cannot quite suck it up and get around to perhaps being that radical, but rather he sees himself in bed with the labour movement.

Interjection.

Mr Mahoney: I am sure the member just choked on his luncheon caviar that he is having out in the east lobby, listening to this debate.

Of course, I did a little bit of research just to try to determine where the Conservatives were when they were

building and creating this wonderful province that they proudly take credit for in the days of purchasing Minaki Lodge, in the days of purchasing Suncor. Can you imagine? They run on the right spectrum of the political centre and they govern on the left, almost as far left as the honourable men and women on the other side of the House.

It boggles the mind to hear the nonsense and the rhetoric that comes out of the so-called, self-proclaimed tax fighter with his little group of seals sitting behind and supporting him when we look at the facts and go back to the Tory deficits.

Mrs Cunningham: Do you want to look at yours?

Mr Mahoney: As a matter of fact, I would be delighted to look at ours, and I will get there, if the member is patient.

But if we go back to 1982 they had a \$1.7-billion deficit, in 1990 dollars \$2.87 billion; in 1983 \$3.1 billion, in our dollars today \$4.6 billion; in 1984 \$3.1 billion, in today's dollars \$4.3 billion, and in 1985, when the people of this province came to their senses and finally threw the bums out of office, they left us with—

1620

The Deputy Speaker: Order, please. Take your seat, please. I would like to remind members that you should be in your seats. That applies to the member for Huron and the member for Chatham-Kent. I would expect that you would be in your seats. I would ask you to go to your seats, please. I would ask also that you stop the heckling. The member for Mississauga West.

Mr Mahoney: Mr Speaker, the heckling does not bother me. I would not let it bother you.

The Deputy Speaker: Through the Speaker, please.

Mr Mahoney: I am through the Speaker.

In any event, the point is very simple, and I would like to get on with at least agreeing with the spirit of the resolution, even though I find the ironies somewhat difficult to swallow, coming from people who proclaim to be the purveyors of fiscal responsibility. I have never heard such utter nonsense in my life.

What I find interesting about the motion, if I could speak to it, is that it says the government has lost the confidence of this House for a number of reasons. That is to presume that the government ever enjoyed the confidence of this House, which I find somewhat difficult. That is to presume that the government even enjoyed the confidence of the majority of the people of the province of Ontario. With due respect to those who were duly elected in the democratic process, they would have to be stretching their imagination incomprehensibly to actually assume they had a mandate or they enjoyed the confidence of the majority of the people. They did not. The figures show they won a number of ridings by the slimmest of margins, democratically so, and that is fine under our system. But the reality is, 37% of the popular vote does not give the government a mandate to destroy this province.

Hon Mr Pouliot: We were good enough in 1985.

Mr Mahoney: It is destroying this province, and it has no right to do it. The government should take a look at

its deficit. The member for Huron can be proud if he wants to be proud, but one day he will be embarrassed when he looks at the damage that has been done to this province, because how do we pay off the deficit that is there this year?

Hon Mr Pouliot: We inherited the deficit.

Mr Mahoney: The government inherited nothing of the sort, and the minister knows it. The reality is that the deficit is like an overdraft, and the way this government plans to pay off the deficit at the end of the year is simply to put it on the debt, which is like the mortgage. At the end of every year, they keep piling it on and piling it on, so in four years' time, when the public gets a chance to say, "Holy smokes, we made a heck of a mistake," we are going to have a debt that will have increased from \$39 billion, when the government took office, to \$76 billion, perhaps \$80 billion, \$85 billion. If indeed the government's estimates of revenue are not even close—and I suggest they are not, if one looks at them—we could be looking at a deficit in the neighbourhood of \$90 billion. We could be looking at a deficit that would be proportionately just as severe as the one that Ottawa saddled the people with.

The government understands the difficulty this creates. It understands why every day, when a baby is born in Canada, the baby cries. The reason is he is cold, he is wet, he is hungry and he is \$21,000 in debt, without counting any of the debt the Ontario government is piling on top of him. It is absolutely irresponsible, and it boggles my mind, even though I understand the parliamentary tradition and the responsibility of backbenchers to support their government, to hear intelligent young people stand up in this Legislature and say they are proud of that. Are they proud of the legacy?

The member for Oxford will get married. Some woman will actually take him on one day, and he will get married and have children.

An hon member: Oh, come on. Don't be outrageous.

Mr Mahoney: I have confidence. He will leave those children a legacy that they will be unable to climb out of, that they will be unable to pay off. He will be able to tell his children and their children, "I was there during Bob Rae and Floyd Laughren's days, the days of red tape, red ink and Pink Floyd. I was there in those days, and I'm proud of that budget we brought in that destroyed the competitive position of this province."

Let me leave the fiscal side of it. It is so obvious, you do not have to be a rocket scientist—which is a good thing in here, myself included, believe me—to understand what a serious mess the government is creating, but let me, if I might, just leave the fiscal side of it and talk for a moment about the lack of trust the government has created.

The Premier said in the throne speech on 20 November 1990 that this NDP government would earn the trust and respect of the people of Ontario. It is unbelievable when we see scandal after scandal, incompetence after incompetence.

The thing I found most interesting was the two cabinet ministers, the Minister without Portfolio responsible for women's issues and the House leader, standing up and offering their resignations. In my opinion, they set the standard. For the first time in this government, we finally

found a standard that made some sense. They stood up and they said: "We wrote a couple of letters to a quasi-judicial body. We did it because we were seriously concerned about the issue. We did it honestly and openly. It was wrong. We apologize and we offer you our resignation."

Why could the Solicitor General not have done the same thing? The Solicitor General did not write a letter to a quasi-judicial body; his staff wrote three letters to judges. My goodness, could he not have at least offered his resignation? The Premier could have accepted it and then a couple of hours later he could have flip-flopped and rejected it and left him in. At least there would be a sense that some justice had been accomplished in that. But no, he sticks his head in the sand: "I didn't write the letter. I didn't authorize the letter. I didn't see the letter. I didn't lick the stamp. I don't know what the hell's going on in my office."

He did not have the class the two lady ministers showed in setting the standard that I think any government should be proud of. I think they did the right thing, but clearly the Premier has become all confused. He does not know where his standards begin or where they end. He does not know whether he should accept one and not the other. He accepts one, then he flip-flops and turns around. He lets the Solicitor General totally off the hook for trying to fix parking tickets, for God's sake, one of the most despicable things.

When we get a member of the cabinet or this Legislature trying to interfere with the judiciary, it totally tarnishes the reputation of everyone involved in this business. I for one believe that most of us, including the members opposite, are honest, hardworking, dedicated men and women who want to serve our communities, who do not want to fix parking tickets. If my staff had done what the Solicitor General's staff had done, they would be looking for work somewhere. Maybe they could get it in his office. It is intolerable, it is inexcusable. The government has lost whatever limited trust it had. There was a certain amount of goodwill. The people were willing to say: "Well, okay, it was an accident. We didn't really mean to give them a majority. It's an aberration in political history, but they're there. Let's give them a chance." People are calling our offices and they are saying, "My God, what did we do?" It is not a joke; they are really worried.

The government is economically destroying the province. We have four years to put up with it. It has my promise it is going to be gone in four years. I do not know what kind of a mess it is going to leave, but we are going to do our best to clean it up.

1630

Mr J. Wilson: I stand today as the Ontario Progressive Conservative Party critic for the Ministry of Tourism and Recreation to speak for a few short moments on the motion of non-confidence in this government put forward by my leader, the member for Nipissing.

If the NDP members would just be quiet for a few moments, I am going to explain to them what tourist operators in Ontario are telling me and telling them about the absolute disaster they and the Liberal government have created in this province since they first made that accord in

1985, when we really had our first real socialist government in this province. I am going to read to them a quote from Tourism Ontario on behalf of the thousands and thousands of tourist operators in this province, who are from all political stripes, who are sending a very clear message to their government about the deteriorating economy and the effects their policies and, before them, the policies of the Liberals are having on this province.

I am going to quote from that press release that was issued last week, because this profoundly summarizes the tremendous path of frustration and anguish that exists among tourist operators in all parts of this province. This is from the third largest industry in Ontario and the largest private sector employer, so this government had better listen up. It says:

"In our industry alone, hundreds of tourism and hospitality businesses, many of them small and family-owned, have been brought to their knees by tremendous increases in municipal business and payroll taxes, statutory wages and benefits and compliance with a myriad of new and costly social, labour and environmental legislation and regulation since 1985.

"Our citizens have had it with ever-escalating taxes and a steady erosion of the disposable incomes. They are losing patience with politicians who will not face the reality that they are destroying consumer confidence and business entrepreneurship in this province through irresponsible imposition of taxes and costly political promises and through non-justifiable government spending, waste and service duplication.

"Political grandstanding, posturing and buck-passing has to stop in this province if we are to sustain our quality of life, and it must start with a serious and concerted effort on the part of all levels of the public sector to rationalize non-productive spending programs and bureaucracies."

Continuing, the release from Tourism Ontario says:

"The government of Ontario has been on an unprecedented and unabated taxation, spending, hiring and social and labour policy reform binge since the coalition Liberal-NDP government assumed office in 1985. Since 1985 the Ontario government has increased all forms of provincial taxes by 123.6%, program spending by 10% per year, and the NDP government has now increased that to an unprecedented 13.5% this year, hired 7,800 new bureaucrats and increased the long-term provincial deficit from \$30 billion in 1985 to a stunning \$44.5 billion in 1991."

They also point out, "The provincial government will collect \$3.5 billion, or 80% more, in retail sales taxes, and \$9.7 billion, or 155.5% more, in personal income taxes this fiscal year than it did in 1984-85."

Just to further emphasize the discouragement out there among tourist operators, I received in June a copy of the results of a survey of the members of the Ontario Hotel and Motel Association. The results are a further indication of the desperation felt by tourist operators in this province; 76% of those polled said they had suffered a decline in business in the last six months compared to the same time last year. A staggering 65% of the tourist establishments said they will have to lay off employees. The reasons for the layoffs and losses of business: 41% said increased labour cost, 31% said the employers' health tax levy—brought

to us by the Liberal government—43% said property and school board taxes and 25% said cross-border shopping.

Ultimately all of these factors are within the domain of the government of Ontario, the new NDP government, but the response from this government has been akin to someone saying, "It's not that bad, and if we think positively it will all go away and correct itself." Well, the economics of wishful thinking are simply a recipe for disaster, especially when served upon a platter of increased taxes and increased government spending and bureaucracy. We have a government that has lost the confidence of the people and that is incapable of leading Ontario in a competitive way into the 1990s and throughout the 1990s.

Not only do I support this motion of non-confidence put forward by my leader, the member for Nipissing, but I do so knowing that standing beside me are the vast majority of tourist operators and people of this province. It is about time this government smartened up. It could do us all a favour by simply calling an election. We challenge them to do that.

Mr B. Ward: It is a pleasure to join the debate on this particular issue today. I just point out that the member for Mississauga West made some good comments. My wife and I just happened to have a little girl on 1 March. As I was in the hospital, with our excellent medicare, I was thinking to myself, "Thank God we have a government that cares enough to keep our health standards where they should be."

We all know who created the economic problems we are facing. It happened before we were elected on 6 September. At the next federal election, I hope the member for Nipissing and the Conservative Party march with us hand in hand as we defeat the federal Conservative Party. I hope we can expect that. I am looking forward to that partnership.

Now I would like to turn to this motion. It is in three parts. The first part deals with fiscal and budgetary policies of our government. Let's look at the budget in a calm manner rather than with the rhetoric and the hysterics that have been going on in the opposition when we talk about our budget.

Sure, we made the decision as a government to battle the recession and cushion the economic blow working people face in this province due to the economic and fiscal policies of the federal Conservative government that have created the recession and the hardship to begin with. Once we made that decision, we realized we were going to face a shortfall in revenues because of the recession and an increase in expenditures because we made the decision to battle the recession. As a result, we have a \$9.7-billion deficit. We do not like that any more than anyone else. However, we felt it was necessary at this time because we made the decision to battle the recession.

Let's look at the budget. Sure there are tremendous education, health and social costs, but there is also \$4.3 billion included in capital to rebuild our infrastructure. I would like the opposition to explain to me how rebuilding our roads and public transportation systems reduces our competitiveness in the province, and how building new schools or hospitals and replacing watermain or sanitary sewers reduces Ontario's competitiveness. They cannot.

Let's look at education. Can the opposition explain to me how providing a better education system, which produces a highly educated workforce in this province, discourages investment? The answer is that they cannot.

Let's look at health care. Can the opposition explain to me and the people of Ontario how providing a health care system that ensures we have a healthy workforce to meet the market requirements can reduce investment here and in fact encourage investment outside this province? There is a simple answer. They cannot explain any of that. In fact, those are all positives that they overlook in the budget.

Let's look at part (b) of the motion. It deals with partnerships and the concept of co-operation. I agree that we need greater partnership and greater co-operation in this province between labour, business, government and other organizations. I think that in the past there has not been enough effort towards that endeavour. The members heard the Premier today; he has had consultation with over 80 business groups. We have had consultation with social groups, environmental organizations, labour groups.

But we still have to develop that sense of co-operation. We cannot do it unless we have a level of trust built up in this province. I think one of the ways we can build that trust and co-operation between labour, business and government is by addressing the need for skills development. Whether you are a business person, a labour person or a government, we all have one common thing we can share: the need to increase our skills development. That is something we are going to work on.

We hope to expand learn to work together on skills development and expand from that into other areas of economic, environmental and social areas. I think that is how you develop co-operation. We do not develop it in this House by heckling each other and yelling back and forth; we do it by exchanging ideas and really listening. That has not been done in the past, but we are a government committed to doing it.

Let's look at the third portion. I will be brief. A number of other speakers wished to talk. The opposition states that the first challenge of any government is to earn the trust and respect of the people of Ontario. That is one thing our government will never forget. We got elected by being open and honest. We will continue to be open and honest with the people of Ontario. We will continue to earn the trust and respect of the people, now and for the length of our mandate.

1640

Mrs Caplan: I rise today to debate what I believe is a very serious non-confidence motion presented by the leader of the third party over the course of the last eight months. We have had an opportunity to see this first socialist New Democratic Party government in Ontario and review what it said during the election campaign of last summer, almost a year ago, and what its actions have been to date.

The motion before us deals with a loss of confidence of this House. But as I rise to participate in this debate, I say I have had the opportunity over the last few months, and particularly since the tabling of this socialist budget, this New Democratic Party budget, this Bob Rae budget in

April, to discuss the implications for the people of this province. I have been talking to constituents in my riding; I have been speaking with labour unions; I have been talking to business people and investors. Many have concerns because they know there has been a lot of rhetoric and a lot of discussion over the course of time relating to the differences between reality and perception or the facts as we know them.

Many people are quite surprised when I tell them the province of Ontario has experienced operating surpluses since 1986. I remember the day when the now leader of the official opposition stood in this House as Treasurer to announce that Ontario had a balanced operating budget, and I can tell the people of this province proudly, when I speak to them in their own communities or respond to them by telephone, that was a sign of the kind of fiscal responsibility and confidence the people of this province could have in a government that understood the need to attract business and investment and to create jobs.

People know that over the course of the five years of the previous government some 700,000 new jobs were created in the province. They know as well, especially when I have the opportunity to discuss fiscal and economic policy with them, that the overall accumulated debt in Ontario was reduced for the first time in over 40 years by some \$340 million in 1990. They know the province was in good economic shape to deal with this recession. Most people know there are economic cycles of growth, buoyancy, slowdown and recession. They know that just one year ago the province had confidence in itself. Business had confidence in Ontario and the people in the province had confidence in our ability to fight this recession.

In the last eight months since the Premier and the NDP have governed, much has indeed changed. The budget presented in April shows that Ontario, under the leadership or lack of leadership of this socialist NDP government, today is in serious trouble. This non-confidence motion that has been presented gives us an opportunity to make sure that people have the facts about what this government is proposing. The loss of confidence over the last eight months, particularly the last few months, has had an enormous impact on the opportunities that are available for Ontarians today and will have enormous loss of opportunity for the people of this province in the future.

The absence of economic leadership is serious. Yes, business and investors have lost confidence. Workers and their families, the people of the riding of Oriole, my constituents, are being hurt by this recession and they too have lost confidence in the ability of this new government, this inexperienced New Democratic socialist government, to lead the province, to see that when we come out of this recession—and we will—we have not sustained fundamental damage to our economy. They have lost confidence that this government will be able to do that because of the lack of leadership. Taxpayers are worried because of the budget predictions for the need for future huge tax increases.

What is most troubling to me is that young people in Ontario are losing confidence. Young people in Ontario are not having the opportunity to participate in the workforce. If members take a good look at the budget that was presented,

at the fiscal and economic policy that has been proposed by this government, they will understand why the people of this province, why my constituents in the riding of Oriole, are losing confidence and why they are worried. Our economy is in recession and people are losing their jobs.

Yet what we have seen in a budget that is projecting a \$9.7-billion deficit for this year alone and a sustained deficit level over the next three to four years of almost \$8 billion annually is nothing which will bring about the kind of retraining and training opportunities for youth and for those who have lost their jobs because of the recession—not one new dollar, not one new program to address itself to the needs of the people of this province for education and training and retraining to prepare them for the future.

We have seen the loss of permanent jobs, and that is what creates a difference between this recession and previous recessions. In the past we have seen job losses, but they were not permanent job losses. We have seen slowdowns, but this time we are seeing Ontario undergo a fundamental restructuring. Every signal this new government has sent out to business, every signal this government has sent out to potential investors has been, "You are not welcome in Ontario." We hear labels from this government. Big business is bad. Investment is bad. Labour is good. That kind of attitude, and we discussed this attitude on numerous occasions, does not lead to the kind of partnership approach that we have heard so often. That rhetoric is very confusing to the people of this province. That rhetoric is very upsetting to business and to labour and to those people who want to work together to see that Ontario will not only come out of this recession but come out of it strongly, prepared to meet the future.

Today's non-confidence motion that has been presented speaks about the intolerable burden of debt on future generations of Ontarians. Probably the most disturbing feature of the budget that was presented in this House, because I think everyone can accept and understand the need for a deficit budget in time of recession, was the continuing deficit during times of projected economic buoyancy and strength. That is the concern.

1650

Mr Bisson: What about the \$3 billion you left us?

Mrs Caplan: My friend opposite again wants to engage in rhetoric. The member for Cochrane South, when he goes back to his constituents and wants to talk about the fiscal policy of his government, knows that it is the policies of his government that accounted for the deficit they found for themselves last year. He knows that writing off UTDC, that the decisions they made on Suncor, that the policy decisions they made to have resources available to create an anti-recession fund, as they call it—all of these policies contribute to the overall fiscal and budgetary policies of government that determine whether there will be a deficit and what size that deficit will be.

As much as he and the members of his caucus would prefer to participate in an exercise which says, "Blame the feds, blame the previous government, blame the person sitting in the seat beside you," each time he does that he abrogates his responsibility as a member of this Legislature

to do what he can to make sure the people of this province have the information they need, the facts, the correct information, and to encourage people to work together to see that we can meet the future and restore confidence.

He understands the concern his constituents have and I know he has the concern my constituents have when they see operating deficits. That means they are borrowing for groceries. That does not mean they are borrowing to buy a house that they can afford and that they can pay off their mortgage over a period of time because they have a good plan. The concern people have, and it is one of the things I believe people understand today in a way they have never understood before, is the need to do what they can afford to do to make sure they are getting value for money from government, and most of my constituents are very concerned because they do not believe they are getting value for the tax dollars they work so hard to earn.

They are concerned because everywhere we turn we hear people very concerned about the lack of fiscal responsibility, the lack of economic leadership, the lack of vision of this government. We know there has not been a jurisdiction in Canada that has not introduced a program to control government spending, to look at restraint, to examine the existing programs to see what is still relevant today and what in fact could be eliminated or reallocated, what is not as effective or as efficient as we would like, and yet there has been nothing here except the creation of a new bureaucracy. There has been only the creation of a new bureaucracy and what we who have had the opportunity to serve in government know as a traditional holdback, clawback or constraint program as opposed to restraint and a program evaluation. That is of real concern.

One of the things I have addressed in this House on numerous occasions is the government's message in its very first throne speech when it talked about cynicism. The point I would make in the few minutes I have remaining today is that the test of your credibility, the example you give to the people of this province, is if you do what you say you are going to do. Part of the reason people are so cynical, part of the reason people do not trust anyone in public life is because of the example they see from this new government, which said one thing when it was in opposition and says something else now that it is the government, which said one thing during the election campaign and is doing something else, and example after example, day after day, of the kind of rhetoric that, quite frankly, my constituents in the riding of Oriole are sick and tired of. They want to be able to have confidence that you stand in your place and read a statement or tell them what you are going to do, that is what you are going to do.

I will be supporting this non-confidence motion today because each action this government has taken over the last eight months has done nothing to instil confidence in the people of this province, has done nothing to instil confidence in the business and investment sector in this province and has done nothing to lower the level of cynicism of the people in this province. It is sad, but it is true. I say to all members of this House and to my constituents in the riding of Oriole that I will stand in my place in this Legislature and do what I can to encourage this government to

raise its standards so that there will be credibility and confidence and people will be able to look to Ontario as a good place to come and invest and live together in the future.

The Acting Speaker (Mrs Haslam): I remind the members that the debate is usually directed through the Chair and does not take place back and forth between individuals.

Mr Carr: As I reflect on this government over the last little while, one of the things that has been more disturbing than anything else has been the fact that it did not say it was going to do this before it was elected. If they had said before the election that this is what they were going to do, that they were going to double the provincial deficit in just four short years, if they had said they were going to do that and if they had said they were going to spend like there was no tomorrow, then I guess I could have accepted it as an individual. What I find very hard to accept is a government that in opposition does not tell the people what it is going to do and then, when it gets into office, wham, we end up with the biggest provincial deficit in the history of this country and it never said it was going to do it.

Let's look at some of the statistics. Some of my friends talked about where the money is going to go. The biggest rise, if we look at the spending in this province, is what we spend on interest. It is a line item with the Treasury and it is the fastest-growing. It is going to be the fastest-growing of all of them.

Let's put it in perspective. At the end of the mandate of this particular government we are going to be spending \$1 million an hour, 24 hours a day, seven days a week, 365 days a year, not to pay for health care, not to pay for services for seniors, not to pay for transportation and infrastructure, not to pay for any other programs, but just to pay the interest on the deficit alone.

A lot of people can relate to that. When we start talking about percentage of gross domestic product and the \$38 billion and it is going to some \$70 billion, people cannot relate to that, but it works out to be almost \$15,000 a minute. In two minutes, while I speak, we will have paid the average wage of an employee. It is not to pay for health care but just to pay the interest on the deficit alone. That clock keeps ticking 24 hours a day, seven days a week, 365 days a year, just to pay for the fiscal madness of a government that never said it was going to do it. They did not have the political courage to say before, "We're going to run up the deficit and spend like there's no tomorrow." They did not have the courage because they knew nobody wanted that.

In the throne speech the government said it would listen to the people and respond to the best of its ability. They should not listen to me; they should listen to what some of the people are saying. An individual who runs a small business says: "I'm scared stiff. Based on the attitude I've heard from business people, they are overwhelmed and they are leaving Ontario, giving up or doing something else. I've never spoken to people who are more negative, more pessimistic and more frightened to be in Ontario."

The next headline is, "NDP Frightening Off Business." "Ontario's government is scaring business and jobs

away,' says the Toronto board of trade chairman. 'We expect business to be competitive, but not to anticipate antagonism from government. High taxes and bristling business legislation such as the increased payroll tax is driving jobs out.'"

The headlines go on. The same chap says: "Queen's Park has not seen fit to respond to the fast-eroding international marketplace in Ontario. This isn't a display of disloyalty, nor is it a threat; it is a new economic reality."

In this province today there is one fundamental fact that is truer and clearer now than it has ever been. If we cannot compete, we are going to lose markets, and when we lose markets people lose jobs. The sad part is that the people who are going to lose their jobs never knew what they were voting for when they voted for the NDP, because it did not have the political courage to tell them it was going to do it. Now they are going to lose jobs.

1700

All the government has done is increase the taxes on the people through deferred taxes. I want to save a bit of time, but I will sum up one thing. A group of kids in grade 4 came into my legislative office here and brought me a little money tree and they said, "Would you please tell the Premier of this province that money does not grow on trees and we're not going to pay because of Bob Rae and what he is doing to this province?" Kids in grades 4 and 5 have an appreciation of the debt and when I spoke with them, most of them said, "Do you realize what you are doing to us with the environment and the deficit?"

When others spoke about it—close to \$20,000 accumulated deficit; in this province it was \$3,500—we will double it. In this province, as we sit here today, I could have accepted it if they had said that was what they were going to do. They never said they were going to do it. They did not have the political courage to do it and my kids and the children in this province are going to have to pay for it and I do not think it is fair. I will be voting in support of this resolution.

One last point I want to make about this government is that I believe the Premier two short days ago said, "I want to hear from the people in the justice committee because I want to consult." Two hours later they invoked closure in that same justice committee and rammed it through because they did not want to hear about conflict any more. Two hours, he speaks and says, "I want to hear from the justice committee." Two hours later the member for Ottawa Centre rams through closure on the justice committee and then we wonder why people are cynical and sceptical about politicians. They are cynical and sceptical about this government, and I am going to be voting for this resolution and I hope the people of Ontario get an opportunity, because next time they are going to have to live on their record. We are very pleased to introduce this resolution and I will be supporting it.

Mr Silipo: As people know, I am not one who tends to get up and speak a lot in the House. When I saw this motion I asked to be put on the list because I was very interested in having an opportunity to make a couple of comments. Because I know there are other members on

this side who wish to speak as well I will try not to be too long.

One of the things that troubles me a lot, as a new member in this Legislature, is the kind of double standard that seems to be applied throughout this House and the members of the opposition and, in this case the members of the third party, seem to be developing to new heights. I think it is quite appropriate for members of the opposition to call us, as members of the government, to task when we do not seem to be doing things in the way we suggested in *An Agenda for People*. I think that is quite appropriate. But it is also important for members of the opposition, particularly the leaders of the opposition—in this case, the leader of the third party—to be quite clear about what it is they are saying when they bring forward motions like this one.

I listened with great interest to the speech from the leader of the third party today. It was full of inconsistencies and contradictions. I just sat in amazement at some of those and I want to touch on a couple and make a few comments about them.

The motion attacks this government on its budgetary policies. Of course, at the heart of all of that is the continuous opposition to the \$9.72 billion deficit which certainly none of us would have wanted to see, but a deficit we felt was necessary, not because we wanted to see the deficit in that way, but because we felt it was important in this difficult time to use the resources at our disposal to help those most in need. That is what provincial governments are supposed to do.

I can well recall the times the Tories were in government when they did not provide program after program requested of them, whether in education or other fields, until and unless 10 different polls said it was okay to do so.

Mr Klopp: Or just before elections.

Mr Silipo: Or just before elections, exactly. I can certainly recall, when the Liberals managed to get in power with our support some years ago, that some improvements did happen and we did see some programs. However, they then seemed to perfect the art of passing the buck literally on to the municipalities and the school boards and have been able to balance budgets, in effect, on the backs of the property taxpayers.

It seems to me we are trying to take our responsibilities as a provincial government as seriously as we can. We are ensuring that programs are continued, that social assistance is provided in this particular dire time of need because, what is the alternative? The alternative is to say to people: "Sorry. We are not going to help you." The alternative is to say to school boards and municipalities, "We are not going to give you the money you need to run those services and you can then talk to the property taxpayers about whether you want to increase those rates."

That is what it comes down to. When we talk about the huge deficit we need to put it quite honestly in that kind of context because otherwise we would be less than frank with the electorate out there. My sense is that while nobody likes the \$9.75-billion deficit there is in fact some under-

standing, much more so than people in this room would want to accept about the need for that deficit to be there.

The other point made in this non-confidence motion is the question of the way the government goes about doing its business and, as set out in the motion, practising "arbitrary and secretive decision-making." It is interesting, again, to go back to some of the comments the leader of the third party made on that earlier. Within the space of a couple of seconds in his speech, he was on the one hand berating us for not having the courage to admit when we made some mistakes, when we were wrong and when we perhaps did not fully size up the issues before us, and on the other hand was critical of our bringing in changes to Bill 70, for example, the wage protection bill.

That, interestingly enough, is set out right in the motion. He cannot have it both ways. He either is prepared to take the position that he is going to criticize us wherever we make changes, or he has to be prepared to acknowledge that, yes, we as government also acknowledge that sometimes the initial policies and bills brought forward maybe do not take into account everything that needs to be taken into account and that, through the consultation process that ensues, changes and improvements to that legislation are made.

That, quite frankly, is part of the process. A lot needs to be done to entrench that as a system of operation around this place. As government, we need to be open to those changes and I think the opposition needs to also be prepared to acknowledge that when those changes are made, they are made with every good intention and goodwill.

The last point I want to make deals with the third point in this resolution that attacks the government's sense of integrity in attacking the conflict-of-interest guidelines. Again, I find it puzzling that the leader of the third party is able to stand up and berate the government on that when at the same time he is able to participate in, and I presume lead, this kind of campaign that has appeared in ads in our newspapers. On the one hand he not only juxtaposes some photographs, in my view distorting the perception people have of these kinds of issues, but at the same time encourages people to donate to the PC fund on the understanding they will then get a generous Ontario tax credit in return.

I want for a minute to ask the members of this House to consider what the position of the leader of the third party would be if there appeared tomorrow an advertisement in the same newspaper on behalf of the NDP applauding some particular initiative of the government and saying; "Send in your cheques to the NDP because you are going to get a nice rebate in return." This is the same individual who stands up as tax fighter number one and berates us on our spending practices and yet has no qualms about turning around and using taxpayers' money for this kind of tactic. In the end it comes down to a sense of consistency and decency.

There is no doubt that in our period as a young government we have not done everything perfectly. All of us on this side of the House would be quite open in standing up and saying that. A lot of that comes from the inexperience of being in government, but I also agree it is something we need to overcome, and I am confident we will overcome. It is one thing to make mistakes because of inexperience; it

is another thing to make mistakes or not to make decisions because you do not want to.

This is a government that has the interests of the people of the province at heart. This is a government prepared to act, to take on the responsibilities, even if it means making the tough decisions economically and running up the kind of deficit there is, because to do otherwise would mean that the pain out there would be multiplied 10-fold. That is the difference between this government and the opposition.

1710

Mr Bisson: I was expecting more members from the opposition to speak, but I guess they have used up most of their time.

I guess you can stand here as a government member, an opposition member, and indulge in the rhetoric we find in the House. I would like to apologize to the member from Oriole for what I said a little while ago. I was indulging in that practice. I am trying to contain myself because I do not really think it gives us anything. We have to respect each other's positions and try to be able to work together, to try to find some solutions to the problems we find ourselves in today.

Rather than going around from the other end and talking about the budget and the decisions we have had to make as a government—some pretty tough decisions, I might add, coming into government and finding some of the things we found when we got in—I would like to talk a little bit more about what is happening in regard to the strategy on the part of the opposition parties, both the Liberal Party and the Tory party at the same time.

It is interesting that in this debate today a lot of analogies have been drawn by members from both opposition parties. The analogy that is always used, the one we hear in this House all the time, is about the NDP socialist government being a draconian-type government. The member for Mississauga West a little while ago used the analogy of every child in Ontario being born crying because there is an NDP government and this debt we are putting on him. Really, give me a break. It is quite something to listen to that because I really do not think it adds to the decorum of this House. It further demonstrates contempt towards the voters of this province. All this does at the end is to instil a lack of confidence in the provincial economy itself. I think we all understand in this House how you get an economy rolling; yes, it is by direct government policy, to a certain extent, but it is also on the basis of the people within the province having some faith in their own economy.

When we hear the things the member for Dovercourt talked about—the article appearing in various papers condemning our government over the past budget and how all of these businesses are running away from the province because of this draconian socialist government, as they like to term it—it does absolutely nothing to try to instil some positive aspects in the people of this province.

We have to keep in mind that 90% of the people in this province are working. They have money in their pocket. The problem is they are afraid to spend that money. Why? Because they listen to the parliamentary channel, they pick up the paper, they do all of those things. When people sit

back and look at that kind of thing, they get a little bit worried. They get worried when they see the coalition of business coming together really incensed about the whole idea of having an NDP government in power, because really that is what it is all about. It challenges the status quo, the way the power structure used to be situated in this province until about a year ago. Getting together and talking about all the ills we find today within our society—the businesses moving south, the cross-border issue, all of the problems we have now—what they are trying to do is associate them with this government.

Mrs Caplan: Your policies are making it worse.

Mr Bisson: If the member for Oriole would listen, she would see that what happened is that there were a lot of policies that were put in place by our federal counterparts, the cousins, the member for Nipissing's friends in Ottawa, under the Brian Mulroney government that really affected directly the problem we find in our economy today.

We look at the effect the free trade agreement has had on the people of Ontario and the people of Canada, but especially on the people here with regard to what it has done to our economy; it has been atrocious. Yes, it is true that businesses are picking up and going to the United States and other places because of mechanisms that were put in place by the policies of the federal government to allow them to do that.

What people forget is that when we set out to build this economy back in 1867 and on forward, there was a recognition of the fact that we have the second-largest geography in the world, that we have one of the least densely populated countries in the world—we have some 26 million people—and that it was necessary for the government of the day and the ones that came from 1867 on, including Liberals and Tories, which brought good policy at the time, to build an infrastructure within this country that allowed business to be competitive.

If we left it strictly to the private sector to develop our transportation industry, telecommunications, education, the social infrastructure that we now understand as being necessary to do business, it would not be done. Not only would it be to the detriment of the people of this country and this province, but it would mean that those businesses could not afford to compete. If you had to set up a transportation industry strictly based on the economy the Tories are trying to tell us, it would not happen. You would have the corridors between Montreal and Toronto and Winnipeg and nothing else on the outer fringes such as Timmins and Sudbury, different places within the country and the province that are not as densely populated as we are here in the south.

The thing is that there is some reality we have to look at. This country is very different. We built this country based on some standards and on some admission of both our geography and the population within this country, to make sure we put in place that infrastructure so that in the end business had a place, had a way it could do business and could rely on to make sure it can move their goods from St. John's, Newfoundland, to Vancouver Island, to wherever, with a good transportation net that, yes, was paid by the taxpayers of this country. We all admitted that. The past

tory governments and Liberal governments and CCF-NDP governments in the past realized that and built on that.

What we have had in this country over the past six or seven or eight years is a total reversal of how we built this economy. That is the problem we have today in this country. It is not because an NDP government got elected that we have this problem; it is because there has been a total reversal about what this whole country is about. There is no more admission that the government and the people have a responsibility to make sure that infrastructure is in place, to make sure we take care of those who are less fortunate than others. That is what we built this country on.

The leader of the third party stands before us today and tries to blame all the ills and the wills of the Ontario economy on this present government. I tend to differ. I think he is misleading the people of this province. He is doing it purely for political gain. All this does is try to instil a further lack of confidence on the part of the people of Ontario towards this government so that in the end they can say, "We told you so." All they are doing is trying to add fuel to the fire, trying to help to a certain degree the dissatisfaction, trying to get business to move away from Ontario, because in the end that is politically good for them. But it is the people of Ontario who will be hurt in the end.

I really resent that. I think it is partisan politics to the uttermost contempt of politics. What we should be doing is trying to work together. We should be trying to bring forward solutions on how we are able to solve some of the economic problems we find ourselves in today because of what has happened, because of the global economy, which is not all a Canadian problem, because of the economies around us that have changed. We have to respond to that, because of the changes that we have seen in federal legislation over the past eight years.

1720

If all of the parties were to sit in this Legislature, as the people of our ridings want, to put forward good proposals, maybe then we could move ahead. But what do we get? In the throne speech, we talked as a government at the very beginning that where we heard people speaking loudly on an issue, who wanted us to change our minds on something, we would do so. On the one hand, we hear the opposition talking about how we need to consult and how we need to be able to be flexible and change our positions on situations, and when we do that in the other breath they jump all over us saying: "That's terrible. It shows that you're incompetent, that you're not able to do anything, that you're not able to make a decision"—

Mrs Caplan: Incompetent. You're not able to do anything.

Mr Bisson: The member for Oriole is saying it again. She is adding to that. What they are advocating is that we as a government do not listen to the people. That is what government is all about, listening to our constituents within this province and acting according to their needs, realizing at the end of the day we as a government have to make a decision. Even if we make the best decision in the world and 80% of the people are happy, we will still have 20% who will be unhappy, and that 20% will make some

noise. That is what democracy is all about. But to get active in partisan politics to the point of hurting the economy of this country and of this province, I think is very irresponsible on their part, and I would say that the people of this province will remember that.

The other point I am going to make very quickly, because we are running out of time, is that the Liberals like to talk about all the experience they have. I remember that in 1985 the Liberal government was elected in a minority situation and with the accord with the NDP government of today put forward some good legislation with the help of us, yes, a socialist government. I use that term very much pride because socialism is something that works. It has been proven.

But, my God, they were the third party. They had no more experienced members when they came to government in 1985 than we did in 1990, but somehow they try to put the perception that somehow we do not not have the experience.

I would point to the good ministers and members we have on this side of the House, with a vast amount of experience from business to economics to labour to agriculture to industry to a number of issues, who are able to bring to this government a different flavour on how we solve problems within this province.

That is all people want. People want honest government that listens and in the end acts on what it is being told. This government has shown that. As to the Treasurer, I was quite proud on Monday when he stood in this House and talked about the need to be able to go back on one of the things we had mentioned in the budget, after we had heard from people within the community. We did so. We realized people would look at that as being somewhat indecisive, but it is recognizing the fact that we need to listen to people out there.

With that I will conclude my remarks. There are only about eight minutes left on the clock. I just want to remind members that we should be working together, rather than sitting here trying to point fingers at each other, and trying to come up with solutions in here. On points where we have fundamental disagreement, then let us disagree, but let us work together.

Mr Runciman: In the brief time I have available, I want to put a few matters on the record.

Earlier today I tabled a resolution with respect to 21 manufacturing operations in the city of Brockville, which I represent, expressing concerns about their ability to do business in this province, not only talking about the current government but also about initiatives brought in under the Liberal regime of five years. Many of them have impacted on businesses in terms of administrative costs in a significant way, where they have seen their administrative costs increase four to five times and their ability to compete with offshore manufacturers being eroded.

We are now seeing initiatives undertaken by the socialist government that are going to further erode the competitive position of business and industry in this province. Some of the legislation that is being proposed which will enable employees to unionize the workplace with a very modest number of employees is one of special concern.

One that bothers me, as a former member of management in industry, is the suggestion that they are going to prevent management from maintaining operations in a strike-bound plant. I know many industries are marginal operations and if they are placed in a position where they cannot continue to operate, even on a reduced basis, they are going to close. In effect initiatives such as this one that is one proposed are costing jobs, forcing manufacturers out of this province.

That is a reality. That is a reality for people who have carried out meaningful jobs in business and industry in this province and can have some appreciation of that, unlike the members occupying the socialist benches in this House.

I want to talk about one other element that has not been mentioned to any significant extent. I chair the government agencies committee of the Legislature. We have been dealing for the past number of months with appointments to government agencies, boards and commissions, and this is not getting a lot of public attention.

What is happening with this government is that we are seeing day after day political hacks, if you will, people who have been NDP socialist supporters for many years, finally getting their just reward. It is scary when we see appointments to the Workers' Compensation Board and the tilt that is going to have in respect of business and industry operations in this province. Even scarier are the appointments to the Ontario Hydro board of directors. What we are seeing is government control, government takeover of Ontario Hydro, and that is a scary proposition when we see anti-business, anti-nuke types appointed to the board of directors of Ontario Hydro, and this socialist, ideological government wanting hands-on control of that crown corporation. It is scary for all of us.

A businessman in my riding, Bill Fraser, president of Computer Assembly Systems, was quoted in the *Toronto Sun* today talking about the business environment in this province: "I've never spoken to more people who are negative, pessimistic and frightened."

Mr Bradley: I want to begin by indicating my support for the motion of non-confidence in the government. I have to stretch my own thoughts a bit on this to be supportive of it, particularly when I hear some of the disparaging remarks that members of the Conservative Party direct towards the previous government.

One of the aspects of the non-confidence motion deals with the budgetary deficit. Of course we are dealing with the largest budgetary deficit since we had the last Conservative government in Ontario back in 1982, and 1982 was the previous high deficit in this province under those who now characterize themselves as the tax-savers.

I want to zero in, first of all, on the tax on auto workers which has been a point of discussion in this Legislature for some period of time. Those of us in opposition in the Liberal Party have directed a number of questions. I have had the opportunity in this House to direct a number of questions to the Minister of Labour, the Minister of Industry, Trade and Technology and to the Treasurer about the inadvisability of the tax that was announced in the provincial budget which essentially is a tax on auto workers and those who rely on the automotive industry in this province.

I was discouraged by the fact that in the midst of a very significant recession, at a time when we are facing the kind of unprecedented competition we have certainly not seen for my lifetime in this province, the Treasurer would introduce on behalf of the government a tax that essentially was a penalty on the automotive industry and ultimately on auto workers in this province.

I was encouraged by the fact that in recognition of the pummelling the Treasurer took from the opposition and some of the pressure from the outside, he was at least prepared to modify this under the relentless pressure that was placed on him, that he was prepared to modify the tax. But essentially what his modification exposed was the fact that in the first place it was simply a tax grab disguised as some environmental initiative. When we see that he started out his discussions, with all the players who appeared on the panel at the press conference, by saying that he was going to maintain his revenues, that it was going to be essentially tax neutral, we recognize that it was a tax grab and nothing less.

Now he has modified it. I said to the Treasurer I would not say he retreated, and I did not use the word "retreat." I said I would compliment him if he withdrew that tax and provided a tax incentive for individuals in Ontario to purchase new vehicles that would have better pollution control equipment, that would have better mileage or, as we refer to it, fuel efficiency. He did not do that. Instead of withdrawing that tax and providing significant incentives, he threw some peanuts to the crowd by giving \$100 for some very small cars and of course rejigging the tax so he still got as much money in from the automotive industry.

I am frankly surprised that a government which supposedly knew so much about the automotive industry, which has so many members in the caucus who have had some experience, would come forward with a tax like this. It leads me to believe they did not share with their caucus members what they were planning for Ontario.

My friend the member for Chatham-Kent would not have been a person who would have advocated this. My friend the member for Lincoln would not have been an individual who would have said, "Yes, please tax the auto workers of this province." They are people who, because they know on a firsthand basis the impact of the industry, would have counselled that there be no tax increase and that the incentive be provided so that the Treasurer could meet both the environmental desires of the government and the people of this province, and stimulate the economy at the present time.

1730

We have now heard General Motors make suggestions that it is going to move jobs out of Canada. Now that is a very difficult circumstance, because we are in a situation where virtually all of the analysts who have looked carefully at the automotive industry in this province are saying it is very competitive and there is overcapacity, and of course the pressure is on many people who work in the industry when we start talking about moving the jobs from one country to another.

The Canadian Auto Workers union will make its own judgement. It will assess what the company has to say. It

will take the course of action that it deems appropriate, and that is the responsible and correct way. It is not for any of us in this Legislature to dictate to those workers in those plants whether they should make any changes to their demands or make any concessions. It is entirely up to the union to make that judgement.

My concern is that this government is not creating an environment which would encourage industry to stay in Ontario—never mind those who are in the plant—by making any concessions or changes. They are not creating an atmosphere which would encourage companies to maintain their investments in Ontario, where we have an excellent workforce and good facilities, and they certainly are not encouraging people in this country and other countries to invest in new plant and new equipment in this province. That is most unfortunate, because we recognize that the automotive industry is responsible, directly or indirectly, for probably one in six jobs in Ontario, between its suppliers and the direct jobs that are created.

There is another thing the Treasurer did not take into account, and nobody mentioned it at the press conference yesterday. By the way, he lined all the people up at the press conference to nod acquiescently that, yes, this was better than what he had before. It reminded me of those dolls in the back of a vehicle where all the heads were moving like this. But essentially what they were saying was that a kick in the shins is better than a kick in the head and therefore they are prepared to accept it.

But auto workers across this province will know the devastating impact of this. Consumers across this province will know and certainly those who thought the government had come forward with an environmental initiative will know that it was a fraud, that essentially it was a tax grab. If the Treasurer had come before the House and said, "I want to grab some taxes out of the pockets of the people of this province," and he was direct and forthright, I would have said, "I'm opposed to that, but at least you're being up front." But no, there is a disguise of some kind of environmental initiative.

What they do not understand, what many of those people do not understand, is that we make auto parts in Ontario. Nobody on the panel talked about parts. Certainly in my community of St Catharines, we make automotive parts—we do not assemble vehicles—and we make them for all kinds of cars in our various factories across the province. Some of them are hit by the tax, some of them are not hit by the tax. Surely somebody over there in the government would have recognized that the impact was on those who produced parts, not just those who do the assembling in the province. That is why I was surprised when the Treasurer came forward with this tax on auto workers in the first place and when he retained that tax and simply rejigged it.

There are a couple of other items I would like to discuss very briefly. The Globe and Mail editorial spotted this one. I spotted it immediately because it reminded me of W. A. C. Bennett and the Social Credit in British Columbia. What he used to do was use crown corporations and BC Hydro to hide his debts somewhere else. He would say, "Look, we have no deficit in the province this year," or "We're not spending this money, we're not spending that money," and

really it would be the crown corporations doing it, with the hand of the government well behind them. This government has intruded into that area once again. They figure perhaps that when people see their hydro rates increase, they will not recognize that this is a government expenditure.

I would not be critical of what they are attempting to do in terms of social programs and in terms of investments. It is the fact that they pretend that it is not taxpayers' money doing it. Be up front; be honest. That is what the Premier always said in opposition. That is what I wanted to see when he came to government, if he ever did.

We have an expenditure of \$52.8 billion in Ontario this year. I know out of that amount probably the Minister of Health is thinking, "I must be able to find some money for a CAT scan machine for the Niagara region or an MRI machine for the Niagara region." She knows she would not have to pay the capital cost; it would simply be the operating costs later on if it is approved appropriately. She knows—

Mr Nixon: Did the Liberal government not put one down there already?

Mr Bradley: The government has already put one down there, but the minister knows it would be done appropriately because the Niagara District Health Council followed all the rules. Now apparently those rules have been thrown out the window and everybody comes running in trying to get a CAT scan. This is according to those who have done investigative research in this particular matter. I am sure the Minister of Health would want to look into that.

In terms of cross-border shopping, I am the first person to say it is not an easy problem to deal with. It really is not. I want to be fair to both the federal government and the provincial government in that regard. But what this government does is make it worse. Just when people started to say, "Perhaps patriotically I might not buy my products in the United States," along comes the federal tax, bang, on cigarettes, alcohol and gasoline. Those are the loss-leaders that get people going over the border. Then we have the provincial government doing the same thing. So people will go over the river for those purposes, as we say.

I am looking for this government to cut those taxes to encourage people to stay here. I am looking for this government to assist as well. I think the Minister of Agriculture and Food made some reference to this, in fairness to him, about advertising the good products we have here in the province and some of the good reasons why people might shop Ontario instead of making purchases that they think would be more desirable in other places.

I also want to talk about, because this resolution deals with traditions, the OPP Pipes and Drums. Every person here in every community of the province has seen and heard the Pipes and Drums. Only the member for Oxford has not, and I am sure all of his constituents have seen the OPP Pipes and Drums and the Golden Helmets precision team. Even though they would have to pay more for their gas and maybe a tax on the vehicles, the fact is that they instilled a lot of pride in the people of Ontario. Members will remember when I read the letter from Mrs Kay Todd about her experience in Gogama, one of the places the

Treasurer is familiar with. I hope the government will reconsider that decision. I think that was something that instilled pride in the people of Ontario and maintained traditions, traditions that the government has often cast aside.

One of the things I want to say, and I will take the opportunity here to say it, is I was pleased that this government followed through with the contract for the Port Weller drydocks for the Pelee Island ferry. What we need now, and I am sure this government would support it, is a federal government contract for those minesweepers. I know some people over there do not want any minesweepers built perhaps, but if they are going to be built, let's have them built in the city of St Catharines. I know my friends from the peninsula agree with that and they will support it because they can blame Mulroney if it is not done. That of course makes it very attractive to members of the government.

How I wish I had a couple of hours to deal with all of the matters that are before us, but I do not have. Let me talk very briefly about patronage. One thing the members opposite have done, which is great for any succeeding government I suppose, is they have made so many patronage appointments that no other government will have to apologize if it does the same thing. They are entitled to do it—I have never denied the fact that they are entitled to do it—but they were not going to; they gave the impression that they were not going to do this.

With Ish Theilheimer and so many other people getting their jobs, we can be sure that while the people of this province may not see the NDP at this point in time as being worse than the other parties, they are recognizing that the NDP and the Premier of this province are essentially the same as other politicians and other parties. The halo is gone. If there ever was a halo, it is gone, and that is reflected in the resolution of non-confidence put forward by the third party this afternoon.

I wish I could vote for the government in a non-confidence motion. I wish I could say I had that confidence, but at this point, with the performance of this government, with the performance of the members of this government, with the circumstances in the province, I find myself in the position of having to support the Progressive Conservative motion.

1740

Hon Ms Lankin: It is interesting to listen to this discussion and to the tone and much of the rhetoric I have heard this afternoon. I listened particularly to the leadoff speaker for the third party and I was amazed at some of the outrageous things I heard said in terms of what I think were very problematic statements, given my understanding of the facts.

I think it would be helpful if we could get some better research for the third party members so they were factually correct in what they started from and the premises that they took, but quite frankly I think they are not interested in that. I think they have an agenda, and it is a partisan political agenda; there is not an honest intellectual debate going on in this House.

We do have differing opinions and that is okay; that is what democracy is about, exploring ideas, ideologies, different approaches. We have a different approach to the way of doing things. We believe different things. We start from different points of view. We can discuss that, and that is an important discussion to have, but we cannot have that kind of discussion when it is veiled in the rhetoric of partisan politics that is not interested in truth as the premise to start from.

I have to make an exception in terms of some of the discussion that has gone on and say that the member for St Catharines, as usual, tried very hard not to engage in that kind of ill-founded presentation of the facts. That does not mean I agree with him on everything he said, and there are a couple of points I would respond to.

Towards the end he talked about patronage appointments. I am just amazed to hear that kind of allegation. Within one of my portfolios as the Minister of Health, I sign many, many appointments and reappointments to district health councils, to community advisory boards. By and large, these are appointments that have been made under Conservative and Liberal governments that we are reappointing, hundreds of them. These are not placing NDP hacks, as I heard being said.

In regard to the appointments that come through cabinet and orders in council, as chair of cabinet I have to sign all of those orders in council when they are approved by cabinet. There is no foundation to that kind of statement, saying that there are not high-profile Liberals and Tories being appointed. What we are doing is getting people who have got backgrounds and abilities and a contribution to make some people who have been shut out in this province and never had an opportunity to make a contribution in the past. They are getting that opportunity now and that is the difference.

The member for Mississauga West talked about how shocked he was to hear that people on this side could say they were proud of what had happened during the process of setting this budget and coming forward with the budget and presenting it to the people of Ontario. Let me say I am genuinely proud to be a member of this government and to be a member of the cabinet and to have been a member putting forward that budget to the people of Ontario.

I think it is time there was some truth put on the record with respect to this deficit. Let's talk about what that deficit is made up of. Let's talk about the \$8 billion that is institutional, systemic in its structure with respect to revenues that have dropped off in this province to a level below that which we have seen before. We have never had a real shrinkage in revenues in the Ontario government before. We experienced that this year. That is a first.

Let's talk about social assistance payments. Let's not just use numbers, a 40% increase in social assistance recipients. Let's translate that into real people, into the human suffering that represents. What would the other parties have us do with respect to that in the budget? Just cut those people off? Not present for them a choice, an opportunity, a hope? That is what our budget means for these people. It is a hope of building back from this recession.

I agree with one thing the member for Oriole said. We are suffering through a recession that is different from any recession we have suffered through before. There is a major restructuring going on. There is permanent job loss. This is not a time in which we can just bat around phrases and say, "Cut and slash," or where we can just scapegoat public sector workers as though somehow that is going to solve the problem. The problem we are facing is much deeper and much more structural than that. Quite frankly, we need solutions where there is co-operation.

I have heard words about partnership. I have heard accusations that we are not attempting to build partnerships with the business community. I heard from the third party that this party over here has just gone willy-nilly and raised taxes. Nothing could be further from the truth. They should look at that budget and tell me where there are massive tax increases that hit people and that hit business.

Quite frankly, there is no doubt we are suffering from a public who at this time is very anxious about tax increases. Over the last number of years it has experienced an incredible rate of tax increases. There is no doubt that kind of rhetoric will find resonance out there and people will say, "Oh no, more tax increases." But that is not what happened in this budget and it is time there were some truth in what the third party presents to the people of this province.

I hear from this party that we have to have restraint, yet I have members from this party come across daily to me, as the Minister of Health, who want us to build more hospital beds and spend more money in their ridings. They speak out of both sides of their mouths.

I have to come back again to the member for St Catharines. It is not that I personally want to attack what he said, but he raises an important symbolic issue. He talks about the fact that we have not supported traditions because we cut money in certain areas. He refers specifically to the OPP Pipes and Drums and the Golden Helmets.

The process we went through in terms of setting this budget was obviously a very difficult balancing act. We cut \$700 million from the budget of Ontario. That is the largest cut ever taken in this province at any time in history. We had to do that in order to reprioritize, to spend money on new programs that were important. Those are difficult choices. Those are not choices that make governments popular. It would be nice to continue to pay for everything that is out there.

The choices are going to become more difficult as the years go on. As we roll out into our second- and third-year projections on this budget, we will have to continue to make very difficult choices about reallocation of dollars, because we are no longer in an economy in which we can just have add-ons and add-ons of new programs. We have to look at the moneys we are spending. We have to spend them in smarter ways. We have to look at reallocation. That is what fiscal responsibility is about.

I understand how difficult facing this kind of budget deficit is right now and how difficult it will be over the next few years. The kind of partisan rhetoric I have heard today is not helpful in solving those problems. I say we are absolutely dedicated to being fiscally responsible and taking those hard decisions, and I surely believe I will hear the members of the opposition stand and howl about those cuts.

1755

The House divided on Mr Harris's motion, which was negatived on the following vote:

Ayes—39

Arnott, Beer, Bradley, Callahan, Caplan, Carr, Cleary, Conway, Cousens, Cunningham, Daigeler, Elston, Eves, Grandmaître, Harnick, Harris, Henderson, Jackson, Jordan, Mahoney, Marland, McLean, McLeod, Miclash, Murdoch, B., Nixon, Offer, O'Neil, H., O'Neill, Y., Poirier, Ramsay, Runciman, Sterling, Stockwell, Sullivan, Turnbull, Villeneuve, Wilson, J., Witmer.

Nays—68

Abel, Akande, Allen, Bisson, Boyd, Carter, Charlton, Christopherson, Churley, Cooper, Coppen, Drainville, Duignan, Farnan, Ferguson, Fletcher, Frankford, Gigantes, Grier, Haack, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Mathysen, Mills, Morrow, Murdock, S., North, O'Connor, Owens, Perruzza, Philip, E., Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Ward, B., Ward, M., Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson, F., Wilson, G., Winninger, Wiseman, Wood, Ziemba.

The House adjourned at 1800.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines and to the Minister of Northern Development
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Minister of Economic Development
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	Chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	House leader
Eves, Ernie L.	Parry Sound	PC	House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaitre, Bernard	Ottawa East	Lib	
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities

Name of member	Constituency	Party	Other responsibilities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Hasslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
			Parliamentary assistant to the Minister of Energy
Jackson, Cameron	Burlington South	PC	Chair, standing committee on estimates
Jamison, Norman	Norfolk	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chair of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chair of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation

Name of member	Constituency	Party	Other responsibilities
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	
Owens, Stephen	Scarborough Centre	NDP	
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs Premier, Minister of Intergovernmental Affairs
Rae, Hon Bob	York South	NDP	
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	

Name of member	Constituency	Party	Other responsibilities
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Siemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for disabled persons, minister responsible for the Ontario Human Rights Commission, minister responsible for race relations, minister responsible for senior citizens' affairs

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 Vice-Chair: Daniel Waters
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 Clerk: Harold Brown

Social development

Chair: Elinor Caplan
 Vice-Chair: Joseph Cordiano
 Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer
 Clerk: Lynn Mellor

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 Vice-Chair: Gilles Bisson
 Members: Alvin Curling, Ernie Eves, Evelyn Gigantes, Charles Harnick, Margaret Harrington, Gary Malkowski, Irene Mathysen, Steven Offer, Yvonne O'Neill, David Winninger
 Clerk: Harold Brown

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Parliamentary Precinct

Co-Chair: David Warner
 Co-Chair: Noel Duignan
 Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
 Clerk: Smirle Forsyth

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First Session, 35th Parliament



Assemblée législative de l'Ontario

Première session, 35^e législature

Official Report of Debates (Hansard)

Wednesday 26 June 1991

Journal des débats (Hansard)

Le mercredi 26 juin 1991

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 26 June 1991

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

HIGHWAY LITTER

Mr Cleary: Removing litter along the province's highways is an expensive proposition for Ontario taxpayers. The adopt-a-highway litter control program would be one way of solving the province's highway litter problem without costing the taxpayers a cent. It would also provide full-time jobs at a time when unemployment is at a maximum. Similar programs already exist in the United States and have proven to be effective both financially and environmentally.

The intent is to hire the unemployed, train them in road safety, in conjunction with Ministry of Transportation guidelines, and have them do the cleaning and removal of litter.

The cost of establishing these working groups would be covered by obtaining private sponsors and corporate sponsorships, allowing them to adopt a highway, a specific strip of a highway, setting up approved signs that would indicate the individual sponsors. The results would be obvious: cleaner and more beautiful highways, business involved in the environment, providing jobs for the unemployed and making our province more attractive for tourists.

I support this proposed program and I hope that all members of the Legislature would also endorse the adopt-a-highway litter control program. I am proud to say that the contact people for this program in eastern Ontario are Frank Edwards and René Laurin.

PARKING FACILITIES

Mr Harnick: In the 34th session of the Legislature the then member for Willowdale announced the planned expansion of the old Cummer GO station parking lot. The problem is that the government neglected to consult with the people in the community. The Pineway Area Ratepayers Association has made several attempts to contact both GO Transit and the Minister of Transportation in order to contribute to the decision-making process. Their appeals have gone unanswered.

The minister, in a letter written to me, indicated that public input has been sought. The residents living in the Pineway Boulevard area have had to fight to be heard by the government. The people of Willowdale deserve better than token gestures from the government of Ontario. I have asked to meet with the minister so that I could convey to him the wishes of my constituents, yet he has been too busy to see me.

I recently hosted a town hall meeting where a motion was unanimously passed opposing the forced expansion of the parking lot. If the parking lot has to be expanded, let the expansion occur with the least amount of disruption to the community. Place the parking lot on the east side of

Leslie Street. Ensure that access to the parking lot will occur off Leslie Street. The ministry has indicated to me that access will occur from Pineway Boulevard. The minister should be aware that there is a public school and playground on Pineway Boulevard. The minister should not turn residential streets into thoroughfares. I ask him to listen to the people of Willowdale.

STAN NAPPER

Mr Morrow: Today I would like to pay tribute to a local politician in my riding of Wentworth East.

Last Friday, Mayor Stan Napper of the city of Stoney Creek announced that he was stepping down from his position for health reasons. Mr Napper has been battling cancer for several months and thought it was in the best interests of his community to retire, as he could not carry out his duties as mayor.

Stan Napper started his political career as vice-reeve of Saltfleet township. Later, he served as councillor of the city of Stoney Creek. In 1985, Mr Napper was elected mayor of Stoney Creek.

During his 1985 election campaign, Stan Napper promised a modern city hall for the city. On 15 June, I had the honour to attend the official opening of the new Stoney Creek city hall, not only as the elected representative but also representing the Minister of Municipal Affairs. Unfortunately, Mayor Napper was unable to attend due to his illness. He did have a prepared statement read out. I believe this was one of Mayor Napper's proudest achievements in his long and distinguished career.

At this time, I would like to ask all members from both sides of this House to pay tribute to such a fine mayor.

ENVIRONMENTAL PROTECTION

Mrs Sullivan: I am rising today to follow in the tradition established by the Minister of the Environment when she served as opposition critic for the Environment. As she has done in the past, I am issuing a report card on the government's performance on environmental issues.

Unfortunately, the minister has failed to make the grade. I have had to give her an F in virtually every category for failing to deliver on the NDP's commitments to environmental interest groups and to the people of Ontario, both during the election and since that time.

This is not a frivolous exercise. The lack of action and direction from the minister leaves an environmental nightmare as our legacy to our children. As well, her statements have created disarray and confusion among those to whom the environment is a priority.

It is important that there be clear direction to business people who are attempting to plan capital expenditures, and it is important that there be clear direction for municipal leaders who are responsible for ensuring that there are adequate environmental protection measures in their communities. They have not received that direction from the minister.

The government has nothing to show for its nine months in office but a series of speeches. There is no new legislation on the order paper, only one new regulation in the consultative process and no new draft bills or green papers. For a minister who was singularly aggressive when she was in opposition, this is an embarrassingly weak show. People expected more from this minister and this government. Her performance is simply not good enough.

1340

RESIDENTS' PRIVACY

Mr Stockwell: On 29 April, I wrote to the Minister of Housing regarding a very serious problem in my riding of Etobicoke West. As I have not received any reply, I can only assume the minister does not agree with the seriousness of this issue.

However, I would like to tell the minister and the House of the hardships inflicted upon the residents of Wareside Road in Etobicoke. More than 30 families in my riding reside on property which backs on to property owned by the Metropolitan Toronto Housing Authority. For more than 15 years, the residents of these houses have had their enjoyment of home ownership affected by the actions of the residents of the MTHA complex. For more than 15 years, meetings have been held with various levels of government and bureaucracy to try to reach a solution.

Someone is going to get hurt. The children on this street have grown up in fear of objects such as beer bottles being thrown into their backyards, and late-night partying is a constant occurrence.

The residents have spent thousands of dollars building fences to try to alleviate this problem, only to have them damaged. All the MTHA has done so far is promise better security for the complex. However, this promise has not been kept.

This is not enough. The residents of Wareside Road are fed up with the way this situation has been handled, and rightfully so. They have tried all possible channels to solve the problem but have just been passed around the halls of the MTHA and the Ministry of Housing. This situation has gone on for 15 years and it is not going to go away. I appeal to the minister to find the time to answer his mail and address the very serious issue on behalf of the residents of Wareside Road.

DEAF-BLIND AWARENESS WEEK

Mr Malkowski: This week, 24 to 28 June, marks the first Deaf-Blind Awareness Week in Canada, which recognizes the many contributions of deaf-blind people. The week coincides with the birthday of Helen Keller, who was born on 27 June, and it mirrors the United States' proclamation of the National Helen Keller Deaf-Blind Awareness Week, which has been in effect for several years.

Deaf-Blind Awareness Week in Canada is being supported by the deaf-blind services of the Canadian National Institute for the Blind and the Canadian National Society of the Deaf-Blind to encourage community activities that will further the understanding and awareness of this unique disability. The rights of the deaf-blind are just beginning to be recognized.

The need for more intervenors, independent living environments and employment opportunities is at the forefront of deaf-blind advocates. We in Ontario have worked long and hard on behalf of the rights of deaf-blind persons and we will continue to work towards better services and awareness of deaf-blindness.

In our gallery today to help celebrate the event are representatives of the deaf-blind services of the Canadian National Institute for the Blind and the Canadian National Society of the Deaf-Blind. I wish all members to recognize them here today.

BACK ON TRACK REPORT

Mr McClelland: In mid-May the chairman of Peel region, Frank Bean, requested an emergency meeting with the Premier and all Ontario regional chairmen to discuss the Back on Track report and its implications for taxpayers across the province.

Most people would agree that if the Ontario regional chairs are requesting a meeting, it is of some significant importance. However, it appears our Premier may not share that opinion. This issue is of such great importance that I wrote to the Premier indicating my support for Mr Bean's request for the emergency meeting. The Premier wrote back saying he is "unable to meet with Mr Bean and his colleagues at this time." In fact, the Premier attempted, if I can say so, to pass the buck by suggesting that the chairs meet with the Minister of Community and Social Services.

The Premier should know that the regional chairs have already met with the minister and regrettably found that meeting to be of little or apparently no value. At that meeting, which took place before the minister announced her Back on Track report, the regional chairs raised specific concerns they felt needed to be addressed in the report. The concerns expressed by the regional chairs were not incorporated into the Back on Track report, prompting Peel's chairman to state, "Despite assurances from the Premier that heads of council would be consulted regarding GWA, this has not occurred."

As upper-tier municipal governments are co-funders and administrators of the general welfare assistance program on a daily basis, surely they would not only be well suited but necessary to provide insight and advice to the province on any major changes to the GWA.

Mr Speaker, I am sure you will agree that if the regional chairs are requesting an emergency meeting with the Premier, they deserve careful consideration. The time for rhetoric is over. It is time to have some real consultation. The Premier should be making fully informed decisions when making major changes that so significantly impact the taxpayers of our province.

ENVIRONMENTAL PROTECTION

Mr Cousens: As we begin the summer recess it is important to evaluate the Minister of the Environment's record during her first term at Bob Rae's Academy of the Non-Performing Arts.

I would suggest the minister undertake to write several essays over the summer months to improve her standing in

the next semester. Since last fall, the minister has repeatedly stated her intention to address a number of environmental problems, but we have not seen concrete action. Here is a list of essays for the minister this summer.

Waste Management: Is There Life After the 3Rs?

The Environmental Bill of Rights: To Be or Not To Be, That Is the Question.

Air Quality: What To Do with Acid Rain Emissions Beyond 1994, and the Role of Vehicle Emissions.

Water Quality: Literally a Zero Discharge Program.

Scrap Tires: Working To Bury a Better Ontario.

Biomedical Waste: Where Do All Those Body Parts Go?

It should be a very busy summer for the minister. However, if she works very hard she may be able to enjoy some time off, perhaps even a relaxing journey along some of Ontario's northern highways to take in the scenic view of purple loosestrife. Just refer to Ontario's road map.

PHARMACEUTICAL RESEARCH

Ms M. Ward: Yesterday morning I participated in a ground-breaking ceremony for a 43,000-square-foot addition at Ortho-McNeil Inc in my riding of Don Mills. Ortho is one of Canada's major pharmaceutical manufacturers and a leading producer and exporter of family planning products. This expansion follows on the official opening in March of expanded laboratory space, devoted to basic science, of their pharmaceutical research institute.

The lab's total research expenditures for the current year will exceed \$4.5 million. It offers exciting employment opportunities for Canadian scientists, a training program for student scientists, and the prospect of made-in-Canada discoveries and product development. Its research is currently concentrated in the areas of cancer, inflammation, menopause and family planning.

I am sure all members will welcome this commitment to research that will enhance and improve our health care and create high-quality jobs. I am particularly impressed by their student scientist program in which four third- and fourth-year university students work with veteran scientists for an eight-month period.

For history buffs and those interested in planning, I would also like to mention the Museum of the History of Contraception, which is located there. It contains 300 artefacts from all over the world and honours pioneers in the field of family planning.

STATEMENTS BY THE MINISTRY

MUNICIPAL DEVELOPMENT

Hon Mr Cooke: I want to take this opportunity to announce the 1991-92 PRIDE funding for Ontario municipalities. As many of my colleagues know, PRIDE, which stands for the program for renewal, improvement, development and economic revitalization, has helped hundreds of communities with local improvement projects over the years.

I am pleased to say that this year the Ministry of Municipal Affairs will be awarding a total of \$13.4 million to 69 communities under this provincial program. Combined with the PRIDE grants recently awarded under the anti-recession

program, we have now committed approximately \$30 million this year to help communities in all areas of Ontario.

PRIDE is a very valuable tool for municipalities interested in community improvement and development. The program provides funding for a variety of capital projects and other improvements in commercial, residential, industrial and mixed-use areas. In the past, PRIDE grants have been used to build or upgrade municipal services such as watermains, sewers and roads, and facilities such as community centres, libraries, parks and day care centres.

The impact these projects has had on job creation and economic spinoffs has been considerable. But today's economic recession, combined with increased global competition, high interest and exchange rates and rapid technological change, has accelerated the restructuring of the provincial economy. Nowhere is this shift more acutely felt than at the local level.

The government wants to ensure that existing programs and new initiatives clearly address the unique needs of communities in responding to the challenges of economic restructuring. We must ensure that our communities are fully able to adapt to these pressures and are equipped to capitalize on structural changes. We must help our towns and cities respond to this shift in economic structure if they are to remain economically strong and stable places to live and work.

By strengthening PRIDE emphasis on local economic development and job creation projects, we will help communities adapt and respond to these changes in the economy. By working in partnership with communities we can, and indeed we must, find new and innovative ways to support local economic development.

In the future we must ensure that local, long-term job creation receives a high priority when PRIDE applications are reviewed. We must also ensure that projects are designed to directly stimulate new investment. Only by facilitating new and creative forms of investment can communities continue to thrive.

For these reasons, we intend to change our focus while working with communities to strengthen and enhance the current program. Together we will explore ways in which we can more directly support local initiatives that contribute to economic development, job creation and new investment.

The objective is simple: to create and sustain strong and dynamic local economies. Our communities are Ontario's backbone. If they are strong, we are strong. Working together, we intend to see that that happens.

1350

EMPLOYMENT ADJUSTMENT

Hon Ms Ziemba: Earlier this year our government launched a \$32.5-million labour market adjustment strategy to assist workers who are losing their jobs in the recession.

Members of the labour force who face cultural, language or other barriers are particularly vulnerable during times of economic slowdown. I am pleased to announce today that the Ministry of Citizenship will use more than \$2 million from the new funds to ensure these vulnerable individuals are well served by the government plan.

To ensure the needs of immigrant and racial minority workers are properly addressed in plant closures, five Ministry of Citizenship areas will receive additional money.

First, we will increase our support for multicultural workplace programs, or MWP, run by boards of education, community colleges and community-based groups. The programs will work with labour-management adjustment committees set up in firms facing closure or layoffs. MWP staff will assist the adjustment committees to communicate in a culturally sensitive manner when providing career assessment, counselling and retraining services for a diverse workforce.

Second, we will commit funds to recruit and train more cultural interpreters to assist in the process. The cultural interpreters will help workers from various backgrounds communicate with counsellors and other providers of employment-related services.

Third, the ministry will increase funding to community organizations under its settlement and integration services program so they can meet the demand for employment-related services and language training. A specific portion of this funding will be allocated to community agencies participating in an innovative program, the worker advocate demonstration project, which is being established in partnership with the Ministry of Labour. This pilot program will focus on immigrant workers in unorganized workplaces affected by plant closures or downsizing. It will examine how community agencies can best support labour-management adjustment committees in these circumstances.

Fourth, we will keep community language and orientation classes attuned to changing needs. In co-operation with local educational institutions, we will prepare teachers to assess clients and provide instruction in such relevant skills as job search technique and coping with job loss. New learning resources will also be developed.

Fifth, Ontario Welcome House, a settlement service operated by the ministry in the Metro Toronto and Hamilton areas, will also co-operate with labour-management adjustment committees. Welcome House will develop an assistance package for displaced workers that will include employment counselling in a variety of languages, assessment of qualifications, referrals for certification and other services.

These initiatives are taken as a direct response to the recession, but they demonstrate this government's continuing commitment to removing barriers and to making sure that access to jobs is not affected by cultural, racial or linguistic background.

RESPONSES

EMPLOYMENT ADJUSTMENT

Mr Offer: I would like to respond to the honourable Minister of Citizenship. This is another example, in large measure, of a restatement of initiatives and policies of the previous Liberal government. Today the minister had an opportunity to build upon our past policies, but she merely restated them. She had an opportunity to address the report entitled *Access to Trades and Professions*, which she had specifically promised to do, but today, nothing.

Her announcement speaks of the need to assist those who have lost jobs as a result of closures and layoffs. With respect to that we are in full agreement. But her government's budget certainly has not created one new job at a time when over 200,000 jobs have been lost in this province, when many firms are not just laying off but closing up. Today, again, there has been no action on the part of this government to address that particular issue.

As the minister knows, in this particular area, many of those jobs that she is alluding to are at minimum wage. The minister has made a very specific statement in terms of what her commitment is in the area of minimum wage, and again, she has done absolutely nothing in that area.

I think that in large measure the minister had an opportunity today to build upon past successes of the previous government. What does she do today? She merely restates, in large part, those particular initiatives. She has been characterized, and her government has been characterized, as following the three Rs, which really are recycle, restate and reannounce. Today she follows in those footsteps.

MUNICIPAL DEVELOPMENT

Mrs Caplan: I would like to respond to the statement regarding the 1991-92 PRIDE grants that the Minister of Municipal Affairs announced today.

First, I would suggest that there is some confusion, and I would ask that the minister get his act together in the future to make sure people can understand what in fact he is doing. He announced \$13.4 million today, and previously \$16.3 million, so the total is around \$30 million. But we do not know if this is previously announced, recycled announcements, or whether in fact this is new money for communities across this province.

Hon Mr Cooke: It's brand-new money.

Mrs Caplan: I am pleased to hear the minister say this is an additional commitment, but I would like to know that we could have all of the facts on this, because this is just going to further confuse municipalities.

One of the concerns I have about this announcement is that while we are looking at significant grants to 69 municipalities under this provincial program, the numbers of communities that are suffering because of the recession, we see nothing here that is going to assist border communities particularly, as we are exporting jobs and dollars across the border. This minister has done nothing to assist municipalities in a positive way to deal with the economic implications of the fact that we have incentives in this province for people to take their business and their shopping out of the province.

These PRIDE grants could be far more innovative and supportive of communities across this province in stimulating the economy, as opposed to what the minister is doing in a very haphazard way. He says here, "In the future, we must ensure that local long-term job creation receives a high priority when PRIDE applications are reviewed." But the time for consideration of local long-term job creation is now. We are in a recession now. People are losing their jobs now. I would ask this minister to get his act together, to make sure people understand and

know what he is doing, and to do something for the creation and stimulation of municipal economic interests.

Mr Elston: It is very interesting that this money is going out. We are always happy to see money going out to help local people undertake good works and help to revitalize the downtown.

From what we understand of the Minister of Community and Social Services, she alone has spent a good deal of money to revitalize the downtown of Toronto by engaging in, not some \$56,000 worth of renovations in her office, but what we now understand to be about \$120,000 worth of renovations. The downtown of Toronto is much better off for that. That is a real PRIDE project, and I wonder how much more money we will find out is spent when we get the answer to our order paper question.

Mr B. Murdoch: I would like to respond to the Minister of Municipal Affairs on his statement today.

It is fine to give this money, and we certainly appreciate that, as do the municipalities. I think the minister is going about it the wrong way, though. Our small businesses are suffering and there is no incentive for them, and they are going to have a hard time to match this money. The minister has to look at some way of looking after them before he starts giving this money away or there will be nobody asking for it. I think when the minister figures that out, he will be a lot better off.

I am also worried about the last sentence there, where the minister says, "Working together." The minister has been saying that for nine months now, and I have not seen anybody over there offering to work together, unless it is their way.

Mr Cousens: I would like to compliment the member for Grey for one of the best statements, because he has just touched on a real problem. We get talk and no action, and I know that it hit a nerve, because it was almost feeding time for the seals.

1400

EMPLOYMENT ADJUSTMENT

Mr Cousens: I would like to comment briefly, if I could, on the statement by the Minister for Citizenship. It touches on one of the needs we have to have in our society: that we in Canada and Ontario want everyone within our society, from wherever they have come, now that they are here, to participate fully and actively in the workforce, in the community and wherever possible. I laud the efforts of the ministry to attempt something on this.

I realize as well the minister is having to do it because she has totally failed in the area of industry, trade and technology and she is having to pick up the slack. If the Premier's government had a fiscal plan for the future to help generate jobs and generate growth and employment and try to keep the jobs here in Ontario, it would not be necessary for the kind of programs she is initiating.

We need to do everything we can from the Legislature to do just that: have a fiscal policy that will encourage investment and job creation here in Ontario. If that is not going to happen, then we will have to have a fix-it program such as is being presented by the minister today. We are probably the most heavily taxed jurisdiction in North

America. If we could get to work and start saving jobs and doing something to generate jobs, then we would not need such programs as this.

I have to leave a few minutes for my honourable friend the member for Mississauga South, but why is the minister not as well doing something about the bridging program? There is an opportunity here to be doing something certainly in York region. Catholic Community Service of York Region is doing an awful lot to help people get out of their homes through language assistance with therapy and just let them become themselves. We have to do more to help those new Canadians who are coming into our communities to be part of our community, to be integrated into them. I do not think the minister's government has really addressed these problems seriously.

Mrs Marland: The minister of everything has made what is a nothing statement in real essence in resolving what is a very serious problem in this province. It has nothing to do with who is out of work, but it has a lot to do with why so many people are out of work. We are talking about 250,000 jobs lost in the last 10 months in this province.

I really would be much more excited this afternoon had this minister been given money by the Treasurer whereby she could stand up and make announcements for those things that are needed in terms of human priorities within her own ministry. We have been asking for long-term care for vulnerable adults for a very long time in this House. When we are looking at the needs that fall within her ministry we are all very concerned about people with disabilities.

We are talking about blind people in Metropolitan Toronto who are still unsafe on our subway platforms, even 18 months after a terrible accident. Nothing has been done about that. We have not got problems resolved within this minister's own jurisdiction without her looking for other ways to spend money. I think the matter of human priorities here has been overlooked and this government should be looking to solve the problems instead of driving jobs out of Ontario and then pouring in a pittance of money after the fact.

ORAL QUESTIONS

ONTARIO HYDRO

Mr McGuinty: I have questions today for the Premier. They are connected with Ontario Hydro. First, will the Premier tell this House to whom he believes the directors of Ontario Hydro are responsible? Is the board responsible to the ratepayers of Ontario, who are shareholders, or to the government?

Hon Mr Rae: Generally speaking, I would say that it is a fair statement that a crown corporation like Ontario Hydro is responsible to the people of the province.

Mr McGuinty: My concern, given that response, lies with the proposed amendments to the Power Corporation Act and in particular the amendments which would absolve the directors from accountability as long as they do as they are told by this government.

This government has taken a number of steps recently which give rise to questions on the appropriate role for

Ontario Hydro. While there is little doubt that efforts were necessary to assist the citizens of Elliot Lake and the North Shore and that this government had a particular responsibility in this regard, some policy concerns emerge because of the way the help has been delivered. In addition to the premium on uranium above world rates, Ontario Hydro has been required to ante up \$65 million for regional economic development. Ministerial statements on Spruce Falls indicate that the government has plans for Hydro there as well, despite the fact that the Smoky Falls dam may never be approved under the environmental assessment process.

My question is this: Is it the Premier's intent to use Ontario Hydro as he would any government ministry, as a vehicle to achieve the NDP's socioeconomic objectives, rather than in the role for which Hydro was intended, to supply reliable power at cost?

Hon Mr Rae: I think this is a good chance to start a debate with the honourable member. I would be glad to do so because it is important for the member to look at the role that a utility like Ontario Hydro and other hydroelectric utilities play across the country.

Make some comparisons. Look at the way, for example, in which the province of Quebec has, through all the controversy, always seen Hydro-Québec as an important instrument of general economic policy in terms of serving the general interest of the people of Quebec.

I think if the member looks at other provinces—British Columbia, Alberta, Saskatchewan—across the board, he will consistently find a recognition that there are broad social and economic responsibilities of a utility like Ontario Hydro.

If I can just respond directly to the one example that the member raised with respect to Elliot Lake, it is a fair statement and a fair observation to make that Ontario Hydro would not have entered into the contracts it entered into in 1975 had it not been for a deliberate decision by the Conservative government of the day with respect to the purchase of uranium in Ontario. When we took office, we discovered that the premium paid by previous governments, Liberal and Conservative, was costing the taxpayers of the province hundreds of millions of dollars and would have added up to a very substantial premium running into the billions of dollars over the next decade.

The decision we took was that Ontario Hydro, as a responsible corporate citizen, as a major purchaser of uranium from the town of Elliot Lake, has a special responsibility to the people of Elliot Lake. I believe Ontario Hydro has that responsibility, and that is precisely why we entered into the discussions we did and why we were able to arrive, on a very amicable basis I might add, with the board of Ontario Hydro at an agreement with respect to how the various costs associated with the changes at Elliot Lake would be shared throughout our society. That is exactly the approach we have taken.

Mr McGuinty: I note with interest the Premier's reference to the initiatives undertaken by the previous Conservative government. I am concerned with the initiatives taken by this government today. To be perfectly clear, let

me state that the member for Algoma-Manitoulin and my party believe this government has a direct responsibility to the people of Elliot Lake.

We do not believe, however, that the costs of same should be heaped on the backs of Hydro's ratepayers. This is effectively a hidden tax. The Premier must surely agree that economic diversification projects and community adjustments are the responsibility of government rather than of a utility to which almost all of Ontario electrical consumers must subscribe.

The Premier's directive to Ontario Hydro to underwrite the municipal debt and local development is contrary to the ratepayers' interests. Further, the proposed amendments to the Power Corporation Act absolve Hydro directors from any accountability if they follow such directions. My question is: Who was looking out for the interests of the Hydro ratepayers? Who was the voice for the individuals and businesses across this province who foot the bills?

1410

Hon Mr Rae: Let me say to the honourable member that you cannot separate out that Ontario Hydro is a corporate citizen which is publicly owned; it has responsibilities to the people whom it serves.

With respect to Elliot Lake, one cannot turn a blind eye to the fact, one cannot simply ignore the fact—

Interjections.

The Speaker: Order.

Hon Mr Rae: If I have offended anyone, I apologize. I would say to the honourable member that I do not think that Ontario Hydro can walk away from its corporate responsibilities. I do not think we can walk away from our responsibilities as a government to the people of the province.

If you say, "To whom is Ontario Hydro responsible?" the answer is that Ontario Hydro is responsible to this Legislature because it is a creature of this Legislature. It is a publicly owned corporation created by the laws of this province and created by the laws of Ontario. Ontario Hydro would not exist if a Conservative government had not decided in 1905 that we were going to have a publicly owned utility in the province whose task would be to serve the best interests of the province and the best interests of the economy of the whole province. I believe on balance, in terms of what has happened at Elliot Lake, that this is exactly what we have done.

GARBAGE DISPOSAL

Mrs Sullivan: My question is for the Minister of the Environment. We are in the final two days of this session of the Legislature and we have heard nothing from the minister on her plans to deal with the garbage gap in the greater Toronto area. She has not yet brought forward the necessary legislation to establish her public sector garbage authority; neither have we seen any legislation on the revised Environmental Assessment Act as promised.

On 3 April the minister assured the House that officials in her ministry would look at all the options to deal with the garbage gap. We would like the minister today to update the House on her specific plans to address the GTA garbage gap.

Hon Mrs Grier: I am glad to have the opportunity to address that question because I certainly had hoped I would be able to return to this House and give very specific answers to those kinds of questions.

As I indicated some months ago, we have a team in place within the ministry looking at all possible contingencies in the event that there is, as it seems likely there will be, a shortfall between the closure of existing sites and the opening of new ones.

What we are finding, and I am glad to be able to share this with the House, is that we have, because the 3Rs have been accepted so well by the population and industries and institutions of this area—and as the member will know, that has been the thrust of our waste management policy—been able to extend the life, for example, of the Britannia site, which was slated to close this September, until March 1992.

But let me assure the member that plans to deal with any contingencies that should arise are well under way. I will be able to make them public as soon as possible. In the meantime, our efforts and the efforts of the waste reduction office to get serious about waste reduction and waste reuse are showing positive effects.

Mrs Sullivan: The minister has talked about a potential shortfall in space to place GTA garbage. Her own ministry officials are predicting that this shortfall could indeed be between nine months and as long a time as four years.

I have in my hand a cabinet submission dated 24 May 1991 signed by the Minister of the Environment. It outlines the government strategy to deal with what is an inevitable garbage gap which will occur in the greater Toronto area beginning in 1992. One component of that strategy is short-term transportation of waste to jurisdictions outside of the greater Toronto area.

Can the minister confirm that she intends to flip-flop on her policy announced on 2 April and approve the shipping of GTA waste outside of the region of the greater Toronto area? Indeed, will the minister name the communities to which she intends to ship GTA waste?

Hon Mrs Grier: I do not have the cabinet submission in front of me, but I can certainly confirm that in looking, as I have always said we would, at all possible alternatives to make sure that there was in fact no garbage gap within the greater Toronto area, we have examined and are still examining a whole range of alternatives.

But let me tell the member there will not be a garbage gap if I can help it. The way in which we will make sure there is not a garbage gap is to really focus on reduction and reuse. That is the policy of this government, and the response to that policy has been beyond frankly what even I had expected it would be. In the event that we cannot close that gap, there will be measures available. I very gravely doubt whether they will need to include transportation, but all possible alternatives have been and are being examined.

Mrs Sullivan: The minister protests that she does not have the cabinet submission in front of her. I assume she read it because she signed it. I will remind her that a second component of the strategy that is contained in that document is approval for four expansions to existing landfill sites,

two expansions to garbage dumps on Britannia Road in 1992 and 1996 and two expansions to the dump in the Keele Valley in 1994 and 1996.

Can the minister confirm to this House that it is her intention to expand Britannia by three million tons and Keele Valley by five million tons beyond their currently approved capacity and, contrary to the cabinet submission contents, which would give the minister absolute powers in addition to her emergency powers, will she commit that she will carry through on her election promises and subject these expansions to full environmental assessments?

Hon Mrs Grier: I think I made it plain in my first answer that I was canvassing all possible alternatives in the event that there was a gap between the closure of Keele Valley and the opening of new sites. But I am planning with optimism, to the effect that there need not be a gap and that gap will be as limited as it can possibly be. But as I have said from the beginning, it would be irresponsible of me not to plan for contingencies should those occur.

When the final decisions have been made about the range of options open to me, I can assure the member I will make them public as soon as I publicly can. Let me say to her again, I regret that I have not been able to share them with the House before now, but it would have been easy to have made a quick and simple solution. We want to make sure that whatever we decide to do is in the best interests of the environment because that is my bottom line.

1420

ECONOMIC POLICY

Mr Harris: My question is to the Premier. In less than one year in office his government has mortgaged our future by laying out a spending plan to double the total provincial debt. I would like to quote from a speech given by Premier McKenna when he was in Toronto in February, talking about provincial powers in the new Constitution.

Premier McKenna called for provincial governments to balance their budgets over the course of their term in office. He said he would "support a legislative requirement to produce a balanced budget over a government's term in office, so that no leader could buy popularity today with the dollars of tomorrow."

The average taxpayer and the average family are forced to balance their budgets. Municipalities and school boards must bring in balanced budgets so they do not mortgage the future to the next council or the next board. I would ask the Premier if he would support Mr McKenna's call for a legislative requirement for balanced budgets.

Hon Mr Rae: First of all, I say to the honourable member, to be fair, he should understand, and I am sure he does, that Premier McKenna, in conjunction with most of the other provinces in the country, makes a very real distinction in his practice and in the work he does and in his budgets between operating and capital. In my discussions with Premier McKenna, he has made it very clear to me that when he is referring to the notion of a balance, he is referring to an operating balance. I say to the leader of the third party, in an ideal world we would like very much to be able to get our budget into an operating balance. I think

that is an objective for our government that we would very much like to be able to reach.

Again I think the honourable member, if he looks at the situation, will recognize that the governments of which he was a member and of which he was a supporter were not always able to operate with an operating balance for the simple reason that in the early 1980s, they were facing a very serious recession. The recession we are facing today is even more serious and the extent of our social obligations is even greater, so it is going to be difficult. But I read Mr McKenna's speech very carefully. I have discussed it with him twice.

The Speaker: Would the Premier conclude his remarks, please.

Hon Mr Rae: I think the objective of trying to reach a degree of balance on the operating side is a very good one. Do I think it helps it to be legislated? My own view is that does not help matters particularly, but it is certainly something we can discuss.

Mr Harris: The Premier is quite right that budgets have not all been balanced. Mr McKenna proffers the example that if it was legislated, it would help him, this government, former governments, current governments, future governments to resist the temptation to buy votes, which I suggest to the Premier he has engaged in on many occasions.

I am tabling with the clerk of the finance committee a copy of submissions that were made to our task force on the Ontario budget. The task force heard from taxpayers in Toronto, Hamilton, Peterborough, Ottawa, Cornwall, Kingston and London. The people I heard from agree with Mr McKenna: Governments must adopt a pay-as-you-go philosophy.

Lawrence Tapp of Lawson Mardon says: "The government says it's proud to be fighting the recession. I sincerely hope our children and grandchildren will be just as proud when they have to pay our bills." The London and District Construction Association: "Mr Laughren is creating the Great Wall of Ontario to keep out investment." The Mining Association of Canada: "The economic road ahead will be smoother if government budgets can soon be brought into closer balance."

These people understand the simple truth that high deficits ultimately result in higher taxes and lost jobs. How many jobs do we have to lose in this province before the Premier and his Treasurer and his government get the message that the people are trying to tell him?

Hon Mr Rae: Let's share these views with candour. I look forward to reading the report of the honourable member, but let me say to him, we spend less money in this province, and we will according to the projections we have put out for the next three years, on servicing the debt than the province of New Brunswick, than any other province with the exception of Alberta and British Columbia. Those are facts.

The fact of the matter is that the deficit is larger than any of us would like, but it is larger for a reason. It is a reason the member cannot ignore. We are encountering a

very difficult recession and we have social obligations to the people of this province.

Unlike the federal party of which he is a member and his federal Prime Minister of whom he is a supporter, Brian Mulroney, we do not feel we can walk away from our responsibilities. That is the difference we have taken from the Mulroney government; that is the different approach we have taken. In this year, we are spending 11 cents on the revenue dollar to service the debt. The federal government is spending nearly 35 cents; other governments are spending more.

The Speaker: Would the Premier conclude his remarks, please.

Hon Mr Rae: If you put this in the perspective of having to deal with it, we have to understand that it is the recession that is our common enemy. Yes, we have taken on some extra debt in order to fight the recession but I think frankly, when you look at the choices that were facing us, we made the right choice.

Mr Harris: I agree with the Premier on one point, he is not and the finances of the province are not as bad as the federal government's yet. What we are trying to ensure is that this is not what happens in four or five or six or seven years, and that is the direction he is heading in. The public of this province are furious. Nobody I have talked to agrees that having our children pay for what we want today makes any sense at all.

Tomorrow, when the people against the NDP budget arrive at the front steps, the Premier will see again how angry they are. This bundle, just delivered by a page, represents nearly 4,000 names petitioning him to stop this budget. Yesterday, I presented petitions from the Hamilton area with over 5,000 names. The clerk of the finance committee tells me he has already received an unusually high number of calls from people wanting to appear before the committee. They are not happy with the NDP's tax-and-spend policy. They do not agree with it.

It is not too late for the Premier to change his mind. There are still taxes that can be stopped; there is still spending that can be cut. I ask the Premier sincerely, for the sake of the children, for the sake of the next generations, for the sake of the jobless, for the sake of this province, will he stand up in his place, ignore the backbenchers who cannot keep quiet in this House, admit he was wrong and lay out a new four-year plan with the help and the co-operation of all the people of this province and the opposition parties in a truly consultative way?

Hon Mr Rae: I say in response to the member that one of the hallmarks of this budget, and he may not agree with it, is that we also wanted to express a concern for today's children.

I do not deny the fact for a moment that the economic circumstances in which we find ourselves and the choices facing us have given rise to a debate. I think it is a very healthy debate. We have also put forward what we think is a realistic approach for the next several years. If we can reduce the deficit further, if there are other suggestions on how we can get there, I look forward to hearing what they are.

The choices that the honourable member is putting forward and the options he is putting forward are ones that I am prepared to consider in all good faith. I look forward to hearing his positive suggestions as to where we can cut, what programs he would stop and how we can turn things around. If he has a better way, if he has a better approach, we will certainly follow.

SPEAKERS' REMUNERATION

Mr Harris: Speaking of today's children, my second question is to the Minister of Health. During the month of May, the community advisory boards of the 10 provincial psychiatric hospitals held their annual conference in Whitby. Their keynote speaker was former leader of the NDP, Stephen Lewis. With over 10,000 children desperately waiting for mental health treatment, does the minister think it was appropriate to pay Mr Lewis \$3,525 for a two-hour session?

Hon Ms Lankin: I am aware of the community advisory board conference that was held. The community advisory boards themselves structure the conference and plan out for the speakers. In fact, when I heard the amount, I was quite surprised. I thought that was a lot and I asked for some checking to be done. I found that for a number of speakers, whether it be Bill Davis or Larry Grossman, people of that calibre, that seems to be the going rate they charge. I myself think I would prefer to see money spent in a different way.

One of the things this draws to my attention is that, quite frankly, in ministries, the way money has been spent over the years has been without a lot of regard to these sorts of things. I think we should pull back on some of these, and as Chairman of Management Board, as opposed to Minister of Health, I intend to send a letter to all the ministries asking them to look at this, asking them to look at whether it is appropriate to do the kind of renting of hotel rooms that goes along with conferences, the kinds of extras that go into meetings, such as the food that is laid on. I think there are areas in which we can cut back and I think it is important for us to look at that.

1430

Mr Harris: I thank the minister. I know she was not the minister at the time.

Few would question that Mr Lewis is a noted commentator in many fields. She has referred to the going rate for noted commentators in their fields of expertise. The conference we are talking about, to quote the chairman of the Whitby advisory board, "was an essential forum for discussion of the issues that most significantly affect the mentally ill." According to a conference attendee, Mr Lewis told the group, "I am not an expert in the field." However, he said he had done considerable homework and acknowledged that the former Minister of Health, the member for Ottawa Centre, assisted him in this regard. He referred to himself, rather, as a friend of the present government.

Rather than paying \$3,500 for Mr Lewis to parrot the views of the Minister of Health, would it not have made a lot more sense—I ask her how many hours of treatment for children with mental health problems she could have provided with the \$500 per hour she spent to

pay Mr Lewis to express the views of the member for Ottawa Centre?

Hon Ms Lankin: The moral indignation, the outrage; let's get the facts straight again. I have said this to the leader of the third party a number of times. In the statements he makes it would be nice if there was a factual basis to them and if he was correct in those facts. Let's start at the beginning. What I said to him in response to his first question was that in fact this was not a decision made by the Ministry of Health; this was a decision made by the community advisory boards, an arm's-length group. They made this decision in their organizing committee. I question the decision of having a speaker at that rate of money. I do not think that is the best way to spend money. But the ministry did not make that decision, so the member should make that distinction when he is asking questions.

With respect to the fact that Mr Lewis is a friend of this government, what a surprise. I think quite frankly there are a lot of people out there of very high calibre and Mr Lewis is one of them. Mr Lewis has spoken at many conferences, whether it be business societies, all sorts of conferences—

The Speaker: Would the minister conclude her remarks, please.

Hon Ms Lankin: —he has a contribution to make.

Interjection.

Hon Ms Lankin: Well, we can talk about the United Nations. We can talk about his background.

What I have said in response to the member is that this and other points he raises with respect to expenditures are valid points and that quite frankly I am undertaking to do something about it. That is his answer.

Mr Harris: I appreciate the fact that the minister agrees with me on these points of waste that I bring up and that she will attempt to do something about it. I wish we had that same commitment from the Premier and the other members of cabinet. I appreciate that.

I would ask if the minister would investigate this: a non-expert in the field of health, somebody who in his speech said he was there as a friend of the government, that he knew nothing about mental health and that he got his notes from the Minister of Health herself. I would like her to investigate and find out—because the government paid the full shot of this, as she knows, the report to the Ministry of Health—if it was these advisory people thinking, "Who can we get as a guest speaker to talk about mental health?" out of the blue, without any prompting, without anything from the NDP government, who thought: "Stephen Lewis, he's the expert. Let's get him." Will she investigate that and find out how his name, for \$3,500, came to the front for this conference in the first place?

Hon Ms Lankin: I find the member outrageous at times. Perhaps we want to divide and separate the rhetoric and the silliness from the issue of whether or not at conferences where community people come together to talk about the role of community in the health system, the role of laypeople from our community and consumers, people who do not have to be experts on the system from the inside; they are experts because they are recipients of the services. The fact that those people in their conference

choose to have a speaker who costs \$3,500 is an issue that is worth reviewing, whether the budget should include that kind of latitude.

The other issues the member raised are red herrings and not relevant to the point.

LANDFILL SITE

Mr Offer: I have a question to the Minister of the Environment on the Britannia landfill site and on the shocking cabinet revelations that were just made known to the Legislature. The minister will know that this is a problem in Britannia which in fact—

Interjections.

The Speaker: Order. I realize we are having a pleasant time this afternoon, but it would be even more pleasant for me if I could hear the question being posed by a member who is seated right nearby. If the members on both sides of the House, particularly at the end of the chamber, could just resist the temptation to have conversations across the floor, we could get on with question period.

Mr Offer: I ended by talking about shocking cabinet revelations and a problem which the minister has created. She will know that this is a matter for which there could have been, and was to be, an environmental assessment hearing, that an interim site in the Peel area would already have been selected, but she effectively put a stop to that last November.

This is a problem that she has created. It is one that she cannot provide a solution to. She will be aware that the Britannia site was established in 1980 through an agreement between the region of Peel and the city of Mississauga. The agreement stated, "When the site reaches capacity, currently estimated to be March of 1992, the site will close and be turned into a recreational site for use by the residents of Mississauga."

Does she plan on using her emergency powers to overrule this agreement reached between the region of Peel and the city in order to expand the site to take garbage from other regions of the GTA, without a full environmental assessment hearing and without any concern to the environmental and health repercussions such action will result in?

Hon Mrs Grier: On 1 October, I inherited a situation that had been brewing for 10 years, a situation which is continually being referred to as a crisis of waste management within the GTA. The solution that had been proposed was to open up new landfill sites without an environmental assessment process. What this government said it would do and what this government has done is to say that no new landfill site will be opened without an environmental assessment process. The other thing that we have done—

Interjections.

The Speaker: Order. We have managed to hit axiom 1 again, the parliamentary axiom that there will always be questions we do not want to hear and there will be responses we do not want to hear. But every person will have the right to pose a question and every responder will have the right to be heard with the response. Right now I cannot hear the response.

Hon Mrs Grier: What we have done in response to that crisis is to aggressively move forward with waste reduction and reuse, and to put in place a corporation that is looking for long-term sites under the environmental assessment process.

As I have said to this House on many occasions, it would not be responsible of me not to plan, in the event that there is a gap which could be, as the member says, for nine months or perhaps for two years, in the event there is a gap between the closure of existing sites and the opening of new ones. I have indeed looked at the possibility of expanding existing sites as a way of filling that gap, but I am optimistic that with the best efforts of everyone within the GTA that gap can be made as short as possible.

1440

Mr Sorbara: There are going to be supplementaries as well that the Minister of the Environment is not going to want to hear. Unfortunately, she cannot rely on what she says she inherited on 1 October when she was sworn in as minister. Everyone who follows this House and follows politics in Ontario, knows that the member for Etobicoke-Lakeshore, during several years in this Parliament as an opposition member, was one of the most informed and one of the most outspoken critics on environmental issues this Legislature has ever seen. She knew the problems then, as she knows them now, and the hallmark of her ability to understand environmental issues was her defence of the importance of public input into decision-making.

That very same member, as a minister, has signed a cabinet submission in which she recommends to her cabinet colleagues that legislation be drafted which will include, and I am quoting, "provisions which will enable the minister to overcome impediments to the proposed strategy." That means get around having a public hearing in the event that she decides on her own to expand Britannia and the Keele landfill site. She uses those very words, "overcome impediments."

Her promise, and the promise of her Premier—and I know, Mr Speaker, you are getting anxious—

The Speaker: I am waiting for the interrogative part.

Mr Sorbara: The promise was that there would be no new landfill site and no expansion without a full hearing. That is what the Premier said and that is what the now minister said. Can the minister confirm she now supports a cabinet submission in which she is going to give herself the very powers she condemned when she was the opposition critic in this very House?

Hon Mrs Grier: I appreciate having the member's endorsement of my environmental commitment. Let me assure him that it is undiminished, but as Minister of the Environment, as minister responsible for the greater Toronto area, it would not be my responsibility to threaten the health—

Mr Sorbara: You signed it as Minister of the Environment.

Interjections.

The Speaker: Order. Would the minister take her seat, please.

Interjections.

The Speaker: One more day. I would appreciate it very much if members would come to order.

I would ask all members, if they ask questions and would like a response, then they need to listen for the response. If you would like a response, I would ask the minister then to be given the courtesy of giving a response and that she in turn be succinct with her reply.

Hon Mrs Grier: Let me set the members' minds at rest. I certainly signed that cabinet submission, and if the member has it in front of him, may I direct him to the key issue. The key issue of that submission is, how can the province manage the crisis that will occur when existing landfill capacity in the GTA expires before new capacity is available? I did not create that crisis, but I am going to solve that crisis and I am going to manage that crisis. That is my responsibility.

TORONTO ISLANDS COMMUNITY

Mrs Marland: My question is also to the minister responsible for the greater Toronto area. It concerns the future of the Toronto Islands. The minister's responsibility is also for the environment; therefore she must be concerned about preserving the designated park land on the Toronto Islands. However, the report prepared for the government by the former New Democratic MPP, Richard Johnston, recommends that the Toronto Islands residential community not only continue to exist but actually be expanded.

The fact that the land will remain in public ownership and that the housing will not be exchanged for profit is no excuse for continuing to have a residential community on designated park land. Does the minister support the designated park land use for residential development on the Toronto Islands?

Hon Mrs Grier: Mr Speaker, I would like to refer that question to the Minister of Municipal Affairs.

Hon Mr Cooke: I appreciate the question, and I say to the member that she will know the history of the Toronto Islands issue as most people in this area do. Through the appointment of Richard Johnston a few months ago, we are trying to work with the city and the region as well as the islanders to find a solution that accepts the principle we need to preserve park land. But there is also a community on the island and an issue that has not been resolved or dealt with by previous governments, and we are committed to protecting that community on the Toronto Islands.

Mrs Marland: First of all, I am disappointed that the Minister of the Environment would defer the question, because that was the thrust of this question; and second, not only am I disappointed, I am amazed that the Minister of Housing does not know the history of this subject, because if he did, he would know there was a limit on the existing housing to the year 2005.

However, I will try to help the minister. The Minister of Natural Resources, sitting beside him on Monday this week, announced a ban on any development on the Oak Ridges moraine that is not consistent with eight key principles of environmental protections and preservation. As well, people have had land expropriated in this province so

that the province's conservation authorities can exercise their mandate to control flooding and erosion and conserve our natural resources.

I ask the minister, are there two sets of government rules, one for the people who live on the Toronto Islands, and one for everyone else? Is it his government's policy that residential development does not belong on park land, and if so, does his government plan to follow Mr Johnston's recommendations with respect to preserving and expanding the Toronto Islands community and build affordable housing on all the parks in the greater Toronto area?

Hon Mr Cooke: The last part of the member's commentary is rather silly, but there already is an island community, and the member knows that.

The principle this government is following is that there is an island community. That community exists. We are not talking about new development; we want to protect that island community. I would say that Mr Grossman did too when he represented that area, and the party over there. We are not taking a different position; we are looking at the issues that are there now and a need to protect the island community, just as Larry Grossman did when he was leader of the Conservative Party.

1450

The Speaker: The Minister of Community and Social Services has the response to a question asked earlier by the leader of the third party.

COMMUNITY AND SOCIAL SERVICES SPENDING

Hon Ms Akande: I would like to provide the members with some information in response to the question posed yesterday by the leader of the third party. He brought to the attention of the House an anonymous letter, an internal ministry memo, which provided evidence that management of my ministry's centre region office has made some questionable decisions about expenditures.

Upon leaving the House, I asked the officials of my ministry to examine the decisions. The matter which seems to have generated the most most interest is the booking of rooms at the SkyDome for a two-day meeting of the ministry's central region management group. The meeting in question was to have involved management staff. There would be 15 people, but there was no confirmation of who would have required overnight accommodation. The meeting rooms would have cost \$700 for the two days and the hotel rooms would have cost \$90 per night for each of those who had chosen to stay overnight, although we have no confirmation about who would have stayed overnight. Therefore we have no final costs.

The ministry is a large, decentralized organization. However, I share the concern that holding a meeting in a room overlooking a baseball game is indeed extravagant. I do beg your indulgence, Mr Speaker, in order to give him the response.

The Speaker: I ask the minister to try to conclude her remarks quickly.

Hon Ms Akande: The rooms at the SkyDome have been cancelled. The central region management group will

hold its meeting in a government facility. The member has also raised a question about other things within that letter. If he wishes, I am prepared to respond to them.

Mr Harris: I have a brief supplementary. I thank the minister for doing the responsible, prudent thing. I regret very much that the minister and the Premier had the same letter I had for five days and sat on it, did nothing. It had to be brought to her attention here in the House even though she had that information available to her. Until it was brought up here, nothing was done.

Second, the minister says she does not know how many rooms would have been used. Nine rooms were booked and confirmed, so whether they slept there or not, that is what the government would pay for. I think we know that.

Third, we also discovered there were two ball games involved, not one. I did not realize there would be an afternoon game on in the room. There was no room for the table because I guess everybody there was watching the ball game.

The bottom line is this: Why did she not act on the letter she received at the same time I did? Why did we have to bring it up in the House to get her attention? How many more extravagant expenditures by her senior management are going on while our programs for the needy, the homeless and children are falling short?

Hon Ms Akande: Actually, I had certainly not received the letter for five days. As a matter of fact, we had to look for the it. The letter was received in my office only yesterday. It had not yet reached my desk.

Hon Ms Akande: Second, I really did not know how many ball games there were, because they were of no interest to me.

Interjections.

The Speaker: Order. This is a peculiar test of my hearing. Could the members come to order. If you folks can relax, then we can try again. The minister with a few more brief remarks.

Hon Ms Akande: Third, there were no confirmations. My staff has checked with the hotel. I have no final costs. It does not matter; not one of those rooms should have been booked and that is why they were cancelled. In terms of future intentions and looking at the allegation that many of these meetings are held outside of the ministry—we checked on that and the meetings—the percentage of days or time our meeting rooms are used in the Macdonald Block is 85% to 95% during regular office hours.

The other issue is that this meeting will be held within office time. I have to stress too that there are steps in place in order to review the practices in all regions.

VITAL STATISTICS REGISTRATION

Mr McClelland: I have a question today for the Minister of Consumer and Commercial Relations and hope the answer we will get today will not be like the answer we got on Monday, where she said when the Liberal government was in power it did not bring in any consumer legislation.

For the record, I want the minister to understand that in the five years the Liberal government was in power, 43

separate pieces of consumer protection legislation were brought into effect in this province. The minister should be aware of that; she should have a handle on her portfolio.

Both members' offices and the general public have been having terrible experiences in trying to obtain birth certificates. The reduction and the level of service has been incredible over the past few months. They cannot get birth certificates; they cannot get certified copies of records from the registrar general's office. Cheques are being cashed and no certificates are being delivered literally for months on end. It is taking so long to obtain birth certificates in some cases that people in small towns in Ontario are having to hire lawyers to obtain birth certificates.

Given her familiarity with all aspects of her portfolio now, I want to ask the minister what specific programs she is prepared to do to clean up the mess with respect to the service she is supposed to be providing for the people in this province so that they can get the documents they need very urgently in some situations? When is the minister going to clean up the mess? When is she going to get a handle on the management of her ministry?

Hon Ms Churley: My first question from my critic is a very tough one. As I said yesterday, because he alluded to the question asked the other day, it turned out that the information was so incorrect that I had trouble understanding where the question was coming from.

However, on to the registration situation. I quite agree with the member; there are serious problems. As the member knows, the previous Liberal government made a determination to move the office to Thunder Bay. We have now completed that move. However, many of the staff who worked here in Toronto did not move. There are a number of reasons why we are having problems. I am very concerned about them and I am working daily on putting in more phone lines; setting up management teams; and looking at the problems created by a massive move to a new system. In Toronto part of the problem was long lineups. We are finding out that in Thunder Bay it is telephones. We are now looking at and reviewing and working very hard to catch up on the backlog that was created from the move.

Mr McClelland: I understand that the minister is saying the Liberal government made a decision to move the offices to Thunder Bay. That is entirely correct, but when the move was undertaken the minister was responsible for the management of that. I have phone messages here from people who have phoned the minister's offices in the last 24 hours. The staff is telling them the problems encountered with the registrar general's office in Thunder Bay are a result of the Liberal government.

The minister should at least come clean and accept responsibility for the management of her ministry and what is taking place up there. I appreciate that she has directed her staff to accept responsibility for the her responsibilities as minister.

I can only assume that perhaps part of the problem she is having is with respect to the OPP and RCMP investigation that is taking place. There is a joint criminal investigation, as the minister knows, of the office of the registrar

general. We know that fraudulent birth certificates have been issued from the registrar general's office. Criminal charges have been laid against some civil servants.

When is the minister going to advise the public of Ontario that she is going to get that problem straightened out, get this operation in some sort of shape, have some kind of management brought to bear on it so that the people of Ontario can get, at no personal expense to themselves—they should not have to hire lawyers—the service that ought to be provided for them for simply a nominal fee? It is the minister's responsibility to provide that service. When is she going to clean it up and deal with the problems in her ministry?

1500

Hon Ms Churley: First of all, I am not blaming the Liberal government in this case for the problems. What I would like to say is that the office has now been moved. Literally millions and millions of documents have been moved. We are in the process of setting up more phone lines and looking at the problems that have been created from setting up a brand new office with mostly brand-new staff.

The backlog, unfortunately, that was created by that move is a serious problem. The other problem of course is that in the summer there is a seasonal high for births, people travelling, marriages, so on top of the backlog, I agree with you, we have got a problem right now. I am hoping that by the end of the summer we will have the backlog cleared up. As I said, we are hiring extra people, we are putting in students over the summer to help deal with the backlog and we are putting in extra phones. We are dealing with it the best way we can at this time.

The Speaker: Would the minister conclude her remarks, please.

Hon Ms Churley: I certainly will. I just want to say to the member that I sympathize with the people out there having these problems and I apologize for the inconvenience. I want to assure them and the member that I am working very hard to clear this problem up.

LAGOON CITY

Mr McLean: My question is for the Minister of the Environment. We have had a search out for her and we do not appear to be able to find her anywhere. I thought perhaps if she is watching the monitor she could come in right away, but failing the minister's being here, I will have to direct my question to the Minister of Municipal Affairs, and it will be appropriately answered, I am sure. The fact is I raised the issue with regard to Lagoon City last week in this House. The minister has had letters from the residents there back to 25 January 1991 and they have had no reply. They even sent another letter on 24 May and they have not had a reply from the minister.

This morning I got a fax from the municipality, which on 23 January 1991 wrote to the minister. The matter was referred and they thought they would have an answer in February 1991. Since then, they have had a communication from the ministry dated 13 June that there would be a response by the end of June.

There are 50 people in the gallery here today from Lagoon City who want an answer. They want to meet with the minister. The minister has not returned their communications. They want to meet with her, the council wants a meeting with her.

The Speaker: And your question?

Mr McLean: Will the Minister of Municipal Affairs see that the Minister of the Environment meets with the township and the residents?

Hon Mr Cooke: I am informed by the Minister of Natural Resources that he would be able to give a more complete answer to the question than I could.

Hon Mr Wildman: This is an important issue and I appreciate the question. I will certainly refer the question of meeting with the Minister of the Environment to her, but in the meantime I should point out to the member, if he is not aware, that the proposed development is in the very early stages of approval and, as he knows, it relates to class 2 wetlands. The Ministry of Natural Resources asked the proponents to prepare a biological report on the impacts of the proposed development and the mitigation measures that would be taken for the surrounding area. This is very important, as the member knows. It is important to protect class 2 wetlands.

MINISTER'S OFFICE

Mr Scott: On a point of order, Mr Speaker: Yesterday in question period I asked the Minister of Community and Social Services about the costs of a rug and other renovations done to her office. As Hansard will reveal, she undertook to this House to provide that information today, the total cost and the extent of the renovations. We have not had an answer to that question and I want to bring to the Speaker's attention that the undertaking has not so far been honoured.

Hon Ms Akande: The member is quite right. I have in fact ordered that this be done. We will have the response in the Orders and Notices before the House rises and the response to the question. I have asked for the information and we will have the response to that for the member before the House rises tomorrow.

The Speaker: I thank the honourable member for bringing that matter to my attention and trust he has received the response.

USE OF QUESTION PERIOD

Mr Harris: On a point of order, Mr Speaker: Yesterday I asked a question of the Minister of Community and Social Services, she responded; I asked a supplementary, she responded. As a result of that question, she took some further action to cancel the conference at the SkyDome, and then today she wished to get back up and respond some more.

I bring this up on the heels of the point of order of the member for St George-St David. We have had a practice in this House that if a minister takes a question under advisement and says, "I don't know the answer but I will try to find out and I will report back to the House when I have it," normally in those cases we allow the minister to respond

during question period, and a supplementary is allowed. I suggest that is appropriate. If the minister today had risen in response to the question of the member for St George-St David, I think that would have made sense, and a supplementary would have been provided. But I do not think it is fair to answer a question, answer a supplementary and then, when the minister finds out more information, come back in—or when she has taken a new decision, which really would be an announcement—and use the time of question period for that.

Mr Speaker, I would ask you to consider that when it happens again. I would ask ministers to think about whether they are giving an answer to a question or whether they have a statement they wish to make, in which case we would be happy to receive it as part of a statement or by way of the media, a press conference. We heard everything the minister said today in response to the media on her way in and out of cabinet. I do not think it is an appropriate use of question period time to come back with a new answer with different information or a new decision that is taken and disrupt the flow of question period.

I offer that for your suggestion and for the minister's suggestion.

The Speaker: To the leader of the third party, I appreciate his drawing this matter to my attention. He will know there is nothing out of order. The Speaker is placed in a very awkward position when cabinet ministers indicate they have a response to a question asked previously.

I certainly ask all members of the House whether perhaps they could find a more effective way of communicating information among themselves; either that or make some alteration to the standing orders. But the orders as they stand, and the precedents in this House, allow for the varied way in which things have developed the last two days, as the member has outlined to us. If there is to be some change, either it should be in the form of changes to the standing orders or indeed ministers and those members who originally asked the questions perhaps could consult with each other prior to question period to determine whether that information could be put in written form or put on the order paper, or some way of handling it other than utilizing the time of question period.

Quite frankly, what happens when a cabinet minister stands up is that then one backbench government member loses a place in rotation for questions. I am as sensitive to that as anyone, but there is not a great deal of latitude with respect to the judgement I must make.

1510

Mr Harris: Further to the point of facilitating the business of the House, can I proffer a couple more comments? I do not think it needs a rule change. For instance, tomorrow, if the Minister of Community and Social Services says, "I would like to respond some more to the question that was raised by the member for Nipissing," I think it is within your power, Mr Speaker, to say: "No. You had your chance. You answered. Sorry, you're out of order." I think it is that simple. I think it could have been done today and I would encourage you to do it tomorrow if it happens again.

The Speaker: To the leader of the third party, I took the time to check Hansard during question period and noted that there was an undertaking by the minister to respond the next day, and this is in fact what she asked to do.

The member does, however, raise a point: it is the responsibility of the Speaker to recognize members, and the Speaker can choose not to recognize someone. That is entirely a part of the responsibility of this job.

I take the member's comments seriously. I take it that probably the House leaders will endeavour, as they always do, to find a smooth and efficient way to conduct the business of the House.

Hon Ms Akande: I believe Hansard will bear evidence that I promised the leader of the third party a response to the question. Now I am questioning why that response would be inappropriate today.

The Speaker: I have ruled on this matter. I indicated, I believe, just a few moments ago, that I had indeed checked Hansard. There was an undertaking made by you to provide a response today and in fact that is what you did. Therefore, there is nothing out of order.

PETITIONS

CHILDREN'S AID SOCIETY OF YORK REGION

Mr Sorbara: I have a petition signed by hundreds and hundreds of people in York region which reads as follows:

"We demand that the Children's Aid Society of York Region receive its fair share of funding. The Ministry of Community and Social Services must provide a minimum budget of \$8.5 million in 1991. The Children's Aid Society of York Region is dangerously underfunded and must receive adequate funding now.

"Premier Bob Rae is responsible if something happens to our children."

I am glad the Minister of Community and Social Services is here. I regret that she is leaving the chamber.

This petition was prepared and organized by the Concerned Citizens Coalition of York region, who are desperately concerned about the actions taken by the Minister of Community and Social Services on children's aid society services in my community and throughout York region.

HOUSING POLICY

Mrs Marland: I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas Ontario government policy requires the city of Mississauga to remove obstacles to residential intensification, designate developed areas and sites for intensified housing, identify intensification opportunities and new development and facilitate housing intensification; and

"Whereas the provincial government's housing intensification policy does not permit restrictions to residential intensification such as location, age of dwelling and zoning;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We do not want residential intensification in our area. We feel the impact would harm the fabric of our community."

I am happy to add my name to this petition.

SPECIAL MOTOR VEHICLES

Mr Huget: I have a petition to the Legislature of Ontario signed by 205 people, including members of the Canadian Street Rod Association and other automobile enthusiasts. They request that vehicles that are defined as street rods be included as a distinct section in the Ontario Insurance Act. I have affixed my signature to this petition.

SOCIAL SERVICES

Mr Phillips: I have a petition to the Legislature of Ontario signed by 75 people. It says:

"Yes, I demand that the Rae government act immediately to introduce a social work act for Ontario. Without this urgently needed legislation, every member of the public in Ontario, including those most vulnerable and disenfranchised, remains at enormous and unnecessary risk.

"Mr Rae, your government must act now. Building a strong Ontario for tomorrow is dependent on protecting the children and families of today."

I have affixed my signature.

BUDGET

Mr Harris: I have a petition signed by over 4,000 people. I am affixing my signature to it as well as I speak. It says:

"Whereas the NDP budget of 29 April 1991 takes the province of Ontario 180 degrees in the wrong direction; and

"Whereas the only way to end this recession and save jobs in Ontario is to cut taxes and reduce government spending;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Stop this budget."

AMALGAMATION OF TOWNSHIPS

Mr Drainville: I have a petition signed by a quite a few people from my riding. They have addressed this to the Legislative Assembly of Ontario.

"Whereas the council of the county of Victoria has voted to accept a recommendation from the steering committee on county government to amalgamate the village of Fenelon Falls with the township of Fenelon; and

"Whereas the residents and taxpayers of Fenelon Falls and Fenelon township were not given the opportunity for public review and comment on the recommendations being made before they were voted upon by county council,

"We, the undersigned residents of Fenelon township and Fenelon Falls, petition the Legislative Assembly as follows:

"The recommendation for amalgamation between the village of Fenelon Falls and the township of Fenelon not be accepted until such time as the residents of both jurisdictions have had the opportunity to provide formal comment on, and acceptance of, the proposal in a municipal referendum, possibly as part of the 1991 municipal elections."

I have affixed my signature to this.

SPECIAL MOTOR VEHICLES

Mr Rizzo: I have a petition sponsored by the Canadian Street Rod Association. It has over 600 signatures and reads as follows:

"To the Legislature of Ontario:

"Whereas special motor vehicles are not specifically included in the Ontario highway act;

"Whereas special motor vehicles are not specifically included in the Ontario Insurance Act;

"We, the undersigned, petition the Legislature of Ontario as follows:

"The Canadian Street Rod Association, its membership and other concerned car enthusiasts request that the special motor vehicles be included as a distinct section in the Ontario highway act and the Ontario Insurance Act."

I have affixed my signature to it and concur with it.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Mr Runciman from the standing committee on government agencies presented the committee's 12th report.

The Speaker: Pursuant to standing order 104(g)(14), the report is deemed to be adopted by the House.

STANDING COMMITTEE ON
REGULATIONS AND PRIVATE BILLS

Mr Hansen from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr77, Township of Chandos Act, 1991;

Bill Pr82, Town of Oakville Act, 1991.

Your committee begs to report the following bill as amended:

Bill Pr70, Royal Conservatory of Music Act, 1991.

Motion agreed to.

INTRODUCTION OF BILL

ONTARIO MEDICAL ASSOCIATION DUES ACT, 1991
LOI DE 1991 SUR LES COTISATIONS DE L'ONTARIO
MEDICAL ASSOCIATION

Ms Lankin moved first reading of Bill 135, An Act to provide for the Payment of Physicians' Dues and Other Amounts to the Ontario Medical Association.

M^{me} Lankin propose la première lecture du projet de loi 135, Loi prévoyant le paiement des cotisations des médecins et d'autres montants à l'Ontario Medical Association.

Motion agreed to.

La motion est adoptée.

Hon Ms Lankin: The purpose of this legislation is to fulfil the government's commitment made in the recently signed agreement between the government and the Ontario Medical Association. It will create a mechanism by which the OMA will collect membership dues, or their equivalents, from all practising physicians in Ontario, with certain specific exemptions.

1520

ORDERS OF THE DAY

Hon Miss Martel: Mr Speaker, it is my understanding that we have a vote now on Bill 121.

1527

RENT CONTROL ACT, 1991

LOI DE 1991 SUR LE CONTRÔLE DES LOYERS

The House divided on Mr Cooke's motion for second reading of Bill 121, An Act to revise the law related to Residential Rent Regulation, which was agreed to on the following vote:

La motion de M. Cooke pour la deuxième lecture du projet de loi 121, Loi révisant les lois relatives à la réglementation des loyers d'habitation mise aux voix, est adoptée :

Ayes/Pour-80

Abel, Akande, Bisson, Boyd, Bradley, Brown, Buchanan, Callahan, Caplan, Charlton, Christopherson, Churley, Cleary, Cooke, Cooper, Coppen, Dadamo, Drainville, Duignan, Elston, Farnan, Fawcett, Ferguson, Fletcher, Gigantes, Grandmaître, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson, Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Martel, Martin, Mathysen, McLeod, Miclash, Mills, Morrow, Murdock, S., North, O'Connor, Offer, O'Neil, H., O'Neill, Y., Owens, Perruzza, Philip, E., Phillips, G., Pilkey, Poole, Pouliot, Rae, Rizzo, Scott, Silipo, Ward, M., Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson, F., Wilson, G., Winninger, Wood, Ziemba.

Nays/Contre-16

Arnott, Carr, Cousens, Eves, Harris, Jackson, Jordan, Marland, McLean, Murdoch, B., Poirier, Runciman, Stockwell, Tilson, Turnbull, Wilson, J.

Bill ordered for standing committee on general government.

Le projet de loi est déféré au comité permanent des affaires gouvernementales.

Hon Miss Martel: Mr Speaker, I would ask for the consent of the House to call the order for three private bills, Pr77, Pr82 and Pr70.

Agreed to.

ROYAL CONSERVATORY OF MUSIC ACT, 1991

Mr Silipo moved second reading of Bill Pr70, An Act respecting The Royal Conservatory of Music.

Motion agreed to.

Third reading also agreed to on motion.

TOWNSHIP OF CHANDOS ACT, 1991

Mr Drainville moved second reading of Bill Pr77, An Act respecting the Corporation of the Township of Chandos.

Motion agreed to.

Third reading also agreed to on motion.

TOWN OF OAKVILLE ACT, 1991

Mr Carr moved second reading of Bill Pr82, An Act respecting the Town of Oakville.

Motion agreed to.

Third reading also agreed to on motion.

MUNICIPAL STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS
CONCERNANT DES MUNICIPALITÉS

Mr Ferguson, on behalf of Mr Cooke, moved second reading of Bill 122, An Act to amend certain Acts related to Municipalities.

M. Ferguson, au nom de M. Cooke, propose la deuxième lecture du projet de loi 122, Loi portant modification de certaines lois concernant les municipalités.

Mr Ferguson: This bill, which I am introducing today for second reading, will give effect to a number of unrelated minor amendments to various pieces of municipal legislation, primarily the Municipal Act and the acts governing restructured upper-tier municipalities.

As the minister indicated on 10 June in his initial statement, at the time of the first reading, these amendments were discussed with the municipal affairs critics of both opposition parties prior to their introduction.

A number of amendments have been requested by various municipalities throughout the province of Ontario. I do want to acknowledge the co-operative efforts put forth by both critics of the official opposition as well as the Conservative Party, the member for Oriole and the member for Grey on this matter so that this item could be dealt with expeditiously.

Mr B. Murdoch: In our party we are glad to work on this bill with the other two parties and on behalf of the municipalities that requested a lot of these changes.

There was one change in there that we had some concern with, and that was the fox bounties. But we felt that maybe we had grown out of the need to hunt fox in Ontario on a bounty system right now, so we let that one go and had no problem with that either.

Again, I just want to reiterate that we worked with the other two parties and we wanted to help the municipalities out. This is why we are supporting this bill.

Motion agreed to.

La motion est adoptée.

Bill ordered for third reading.

Le projet de loi devra passer à l'étape de troisième lecture.

Hon Miss Martel: On a point of order, Mr Speaker: I would ask for unanimous consent of the House to deal with third reading of the bill at this time as well.

Agreed to.

Third reading also agreed to on motion.

La motion de troisième lecture est également adoptée.

1540

STANDING ORDERS

Miss Martel moved government notice of motion number 22:

That standing order 104(g) be amended by inserting after "agencies;" in the 10th line "and to review the intended appointments of persons to agencies, boards and commissions and of directors to corporations in which the crown in right of Ontario is a majority shareholder according to the following procedures:

1. A minister of the crown shall lay on the table a certificate stating that the Lieutenant Governor in Council or the Premier, as the case may be, intends to appoint a person to an agency, board or commission or to the board of directors of a corporation, together with a copy of the position description and a summary of the person's qualifications, which documents shall be deemed to be referred to the committee.

2. Upon receipt of a certificate as referred to in paragraph 1, the clerk of the committee shall distribute to each member of the subcommittee on committee business a list of intended appointees in respect of whom a certificate has been received.

3. The subcommittee shall meet at its own initiative or at the request of the committee to select from among the intended appointees referred to in paragraph 1, those intended appointees the committee will review. Each member of the subcommittee, other than the Chair, may choose one or more of the intended appointees for review from the certificates provided by the clerk of the committee.

4. Following a meeting of the subcommittee called for the purpose of selecting intended appointees for review, at which an intended appointee was not selected for review, or following 30 calendar days from the tabling of the certificate pursuant to paragraph 1 during which no subcommittee meeting for the purpose of selecting intended appointees for review has taken place, whichever shall come first, a report shall be deemed to have been made by the committee and adopted by the House, that the committee will not review the intended appointee.

5. The subcommittee shall report to the committee on the intended appointees for review. Upon receiving the report, the committee shall determine a date for the review of the intended appointees as selected by the members of the subcommittee. Such date shall be no earlier than seven calendar days following the receipt of the report of the subcommittee.

6. Upon notice from the clerk of the committee that an intended appointment has been selected for review, the minister who recommended the appointment shall provide to the committee a copy of the intended appointee's application, a copy of his or her resume, a description of the responsibilities of the position, a detailed description of the candidate search process and a statement of the criteria by which the intended appointee was chosen.

7. At any meeting of the committee called for the purpose of reviewing intended appointees, the Chair shall divide the time available for review so that an equal amount of time will be spent reviewing the selections for review made by each of the members of the subcommittee.

8. Where a subcommittee member has chosen more than one intended appointee for review, the member shall apportion the time available to review his or her selections between the appointees. The subcommittee member may

choose to defer the consideration of one or more of the intended appointees that the member has chosen for review for up to 14 calendar days until a future meeting of the committee at which intended appointees are to be reviewed so long as the consideration of the intended appointee has not previously been deferred.

9. In reviewing an intended appointee, the committee shall not call as a witness any person other than the intended appointee.

10. The committee shall determine whether or not it concurs in an intended appointment at the conclusion of the meeting held to review the appointment unless any member requests that the committee defer its determination for up to seven calendar days to a future meeting of the committee. In its report, the committee shall state whether or not it concurs in the intended appointments and may state its reasons therefor.

11. The committee shall present its report to the House on its review of intended appointments at the earliest opportunity following the meeting at which its findings have been made and such report shall be deemed to be adopted by the House. If the House is not meeting at the time, the committee shall have authority to release its report by depositing a copy of it with the Clerk of the Assembly and upon receipt of the report by the Clerk the report shall be deemed to be adopted by the House.

12. If a report in respect of an intended appointee is not made within 30 calendar days following the day on which the intended appointee was selected for review, a report shall be deemed to have been made by the committee and adopted by the House, that the committee will not review the intended appointee.

13. Where consideration of an intended appointee is deferred in accordance with paragraph 8, the time allowed for the making of the report as established in paragraph 12 shall be extended by 14 calendar days.

14. The clerk of the committee shall notify in writing the minister who recommended the appointment of any decision of the committee and the subcommittee on committee business respecting the appointment."

This standing order shall come into effect on 28 June 1991.

Hon Miss Martel: If I might, I have some remarks to make on this.

Following the Premier's statement during the last fall sitting concerning the opening up of the public appointments process to review by a standing committee of the Legislature, a temporary change to the standing orders was implemented to allow the standing committee on government agencies to conduct reviews of intended appointees.

This temporary change to the standing orders was sunset for 27 June 1991 and the standing committee on government agencies was asked to report to the House its recommendations concerning the best procedures to allow the committee to carry out its mandate. This report has now been received.

The motion presently before the House is intended to establish a mechanism for the ongoing review of public appointments. The changes that the government is putting forward reflect the intentions of the government as to the

scope and nature of the standing committee process. They also reflect some of the very practical process considerations that have come to light during the very brief experience that the standing committee on government agencies has had to date in reviewing intended political appointments.

Establishing a set of standing orders to deal with reviewing public appointments is not a simple task, as a number of considerations need to be balanced. In particular, the government's need to be able to proceed in an expeditious manner to appoint members of the public to positions of responsibility on government agencies, boards and commissions needs to be balanced with the need to provide the standing committee members with sufficient time to conduct the reviews that are necessary.

The majority report of the standing committee on government agencies has made a number of recommendations with respect to possible changes to the standing orders concerning the review of political appointments. These form the basis for the changes I am moving today on behalf of the government.

The dissenting recommendations expressed by the Liberal and Progressive Conservative members of the standing committee have proven more difficult to accommodate. Most of these recommendations deal with the terms of reference of the committee and not with the process through which the present terms of reference are carried out. I will be addressing the reasons why most of the changes to the terms of reference to the standing committee made by the opposition parties cannot be accommodated. However, where the recommendations of the opposition did focus on the actual procedures of the committee and the time available to conduct reviews, I have attempted to respond to these concerns.

The changes to the standing orders that are being proposed reflect the concerns of the standing committee members in the following ways:

First, the standing committee will have greater flexibility in integrating its role in reviewing intended appointees with its role in reviewing agencies by allowing the committee complete discretion to determine how much of its sitting time will be spent reviewing intended appointees and how much of its time will be spent reviewing government agencies.

The time to be spent in reviewing any intended appointee will be limited to a shorter period of time than is presently the case, by virtue of the fact that on any day that intended appointees are reviewed, the time available will be split between consideration of intended appointees selected for review by all of the three parties.

The standing committee is now empowered, where the committee believes it appropriate, to determine its recommendations with respect to an intended appointee at the conclusion of its interview with the intended appointee, instead of having to wait until the next meeting of the committee.

The subcommittee on committee business will now have greater flexibility to determine when it will meet to determine its selections for review. The language of the committee's report concerning intended appointees who are not reviewed has been changed to reflect the fact that

the committee has not reviewed the appointee, rather than indicating that the committee has no recommendation concerning the candidate.

In situations where a number of significant appointees are put forward by the government at the same time, in addition to being able to allocate more of its time to appointment review if it desires, the committee members will also have the ability to defer consideration of one or more intended appointees for up to two weeks to accommodate the committee's review of a larger number of intended appointees from any particular group.

A number of requests for changes to the standing orders by the opposition members of the committee in its dissenting reports will not be accommodated. The opposition has requested that the committee obtain information on candidates who applied for, but were not selected for appointments. This proposal would create considerable difficulty in attracting quality candidates to put their names forward for consideration whenever the potential candidate is concerned about (a) his or her interest in the position and (b) that this interest remain confidential unless chosen.

Further, there is no possible way a committee of members could devote the time necessary to become a hiring committee for all appointments presently made to government agencies, boards and commissions. The committee's role is to review government appointments, to determine whether the candidate chosen by the government is qualified for the position he or she is being appointed to. I do not believe information regarding other potential candidates or their backgrounds is necessary for the committee to carry out this role.

Second, the opposition has requested that submissions be received from third parties as to the appropriateness of intended appointees. Where people have information they believe is relevant in determining whether an intended appointee is qualified, there is nothing to prevent these persons from bringing this information forward via committee members to the attention of the committee in its use of questioning the intended appointee. But the government does not believe the public is going to be well served by having other people come in and subject an appointee to possible character assassination or attack.

Third, the opposition has requested opposition control over the committee review process and veto power over appointments. The request for majority control of the committee is not realistic. It is a matter of law that the Lieutenant Governor in Council or the Lieutenant Governor, on the advice of the Premier, is authorized by statute to make appointments. The dissenting report of the committee states that, "As we are the members who will be lending our names to the approval of such appointees, we feel that it is inappropriate for the Premier to shift on to this committee the burden of accountability."

The dissenting report from the committee belies the fact that the government is responsible for the appointments made. The government will reap the political benefits of wise appointments and the political costs of foolish ones. While the government wishes to receive the advice of the standing committee on the qualifications of intended appointees and will treat this advice with great deference,

it is essential that the government must retain its responsibility for the public appointments that are made.

It is to be expected that the opposition will condemn the government for failure to adopt some of the recommendations the opposition has put forward. It can only be pointed out that neither the Liberals nor the Conservatives, when they were in power provincially, implemented the kind of accountability features to the appointment process this government has. The idea that if either of the two opposition parties were in power they would implement the recommendations they have come forward with is simply not supported by the records of the past.

It is also fully expected that when the opposition members rise to speak on the matter they will also argue that the measures taken by the government to clean up the appointments process do nothing to change the situation that has existed in the province for many years. Again, I do not believe this to be the case. The government, like any other government, will want to make sure the people it appoints to public office will pursue policies consistent with those of the government of the day. In this sense, the appointments process will continue to have partisan points to it.

However, the government is determined to make a clear break from the historical practices of the past whereby the political appointments process was used as a mechanism for strengthening the political party in power at the expense of the public. The government is determined the political appointments process will not be driven by the need for requirements of patronage.

We believe the standing order changes proposed today will accomplish the goal, and I look forward to the debate that will ensue.

1550

Mr Grandmaître: I must bring my dissenting vote on this motion, as expected. As the member just pointed out, the Liberals and the Conservatives very rarely vote together. This time, the members of both parties agreed that the system implemented on 20 December with great fanfare—I would like to quote from the speech from the throne which addresses the new responsibilities of the standing committee on government agencies:

“The public has a right to see appointments made by a fair process, a process the men and women of Ontario can trust. By ensuring public access to all details of appointments and by peeling away some of the secrecy surrounding the process, I believe we can ensure a fairer selection of the best possible candidates.”

I was pleased when I was appointed to the committee on government agencies, because I think our committee has a great role to play, especially with the added responsibilities given by the Premier of this province on 20 December. But I must be honest, I think those added responsibilities given to the committee are a smokescreen. It is a *fait accompli*. I do not believe for a minute, and I do not think any member of this House believes, that we have changed the process.

These appointments are still made by the Office of the Premier, the Premier himself, and also by a person paid by

the government to search for people, mostly NDP people. I would say 75% of the them are New Democrats. So if the Premier or members of this House think for a minute that the patronage system is over, it is far from being over. They are simply continuing with the patronage process that existed in the past.

I agree that some of the appointments in the past by the Tories and the Liberals seemed very much to be patronage appointments and I think the system needed to be changed, but the process has not changed. We are still being told by the Premier's office, through orders in council, “This is our nominee,” but we only learn about it through the newspapers. Twenty four hours after the cabinet has approved the order in council, we read in the newspapers that Mr So-and-So or Ms So-and-So has been appointed to the Hydro commission, to committees or agencies. I think it is a very unfair system.

The committee is given one name. We do not know what the search process was all about. We know that person has been appointed. I have been told some people in this province have applied for such an appointment and have never received a letter of acknowledgement. We have been trying to find out how this search process works. We have not been told yet how many people applied for this job or this nomination, or how they found out. A lot of people received phone calls from the Premier's office, or maybe from ministers, wanting such a person to sit on those ABCs. I think it is a very unfair system; it needed amendments. We have tried through the leadership of our chairperson to reach a compromise, but I can understand the members from the government side sitting on our committee; they will never vote against an appointee, especially a person nominated by the Premier. I challenged them to vote against the Premier's appointment. Not one did it.

It proves they are given specific orders when they come into our committee to vote for that person. Everybody is given 10 minutes to ask questions. It really looks good, but it is a *fait accompli*. We do not have a veto. We can simply ask a few frivolous questions of the members because we do not know these people, we only go by their curriculum vitae. Some people have no experience whatsoever and they may be good people. It is very unfair for these people to appear before our committee to be submitted to our questioning because we do not know these people. We can only go by their CV.

It is very unfair. Last week this lady had to drive more than 200 miles to appear before a committee and she was giving her time, not only to her municipality but to this province. I think it is very unfair to put these people through this kind of charade.

We will vote against this motion for the simple reason that we do not feel at ease sitting on this committee; we feel like puppets. They have the numbers. We are outvoted and I think we should have at least fair representation, equal representation on the committee, not a veto. I do not think we should have a veto. Some people on the committee feel that we should, but I do not think so. I think that is very unfair. After all, we do have a government and I think it is up to that government to choose its own people and

live with the decision it has made. It is very unfair to hide behind our committee and say 6 months, 12 months or 18 months down the road: "Hey, this is not a good candidate and you are to blame. It is your choice." It puts us in a very unfair situation.

We are not allowed to call witnesses who do know these intended nominees. We are not allowed to do so. It took us close to five months to obtain a total list of all nominees or appointments in Ontario which was supposed to be distributed to municipalities, libraries and other public offices.

If the government thinks it has opened the process, it is totally wrong because even people nominated to sit on ABCs know that the process is a fraud. I have spoken to these people and they know the system is a fraud.

I know another colleague of mine would like to address motion 22, so again I would like to remind the members of this House to be a little fair. We would accept some amendments because I think the government is on the right track. I think we should have a word to say in these nominations. I agree with the government. But at the present time the process is not there. It is not working. It seems like it is working, but we do not have the tools to work with, and I hope the government will change its mind and bring about changes that are acceptable to all three parties.

1600

Mr Runciman: As members may or may not know, I chair the standing committee on government agencies, and I am honoured to chair the committee. I served on the committee in the past as a member and thoroughly enjoyed my tenure as a member of that committee.

It has been long looked upon as a non-partisan committee of this House, given the responsibilities to review the operations of agencies, boards and commissions of the government and make recommendations in respect to how they could be improved and perhaps even sunsetted. There are a variety of ways in which I believe the agencies committee over the years has made a positive contribution to the operations of government in this province.

The member for Ottawa East mentioned that in respect to the changes announced by the Premier and the review process it indeed was a positive step that members of the Legislature were going to have some opportunity for review and input into the order-in-council appointments of the government. I would say it has been an improvement, but modest, indeed.

As Chair of the committee, I make an effort to be non-partisan in my approach to the deliberations of the committee, and I am going to do that as best I can during this debate as well. But my major concern, when we look at the operations of the committee and how it has functioned over the past couple of months, is the fact that we have been performing a function which I think most members of the opposition parties, if not the government parties' representation on the committee, feel, to a significant degree, to be meaningless, that we are not really having an impact, and that if, indeed, the opportunity is there to thoroughly investigate the credentials of an intended appointee, we do not have the tools to do the job necessary.

As was pointed out by the previous speaker, for example, we do not have the right—and that has not been changed in the permanent standing order—to call witnesses, and I think that is an extremely important element to explore, and I am sure some of the other speakers will, as we carry on this debate. I can think of Mr Eliesen, the recent appointee as the chair of Ontario Hydro, in some quarters a very controversial appointment, or Michael Cassidy, again to the Ontario Hydro board of directors, or we had a gentleman appointed as a vice-chair of the Workers' Compensation Board with a significant labour history and a close alliance with one of the House leader's staff persons.

We had some representations made to us, but we did not have the opportunity to have people come in as witnesses to express their concerns. In the Eliesen case, for example, there were—I think, Energy Probe—a number of groups that had very real concerns about his appointment. But, again, we did not have the authorization, the right, under the temporary standing order, and do not have it under this permanent standing order, to call witnesses to hear individuals in this province who may have differing views in respect to the qualifications of the individual recommended by the government of the day.

My primary concern is, what are we accomplishing by taking up the time of this committee every week to deal with these appointments, while at the same time we are totally neglecting the original responsibility and mandate of the standing committee on government agencies, and that is to review the operations of agencies, boards and commissions?

I know there is some reference to window dressing and perhaps there has to be some degree of truth to that when you look at the time assigned to this committee for summer sittings. Originally there was going to be no time at all assigned to the committee. Now we have been allotted, I believe, three days during the summer. If you look at the enormous number of order-in-council appointments and the time required to review even a small percentage of those, there is no realistic way in which the committee, especially allotted only three days during the summer recess, can even touch on a significant part of those intended appointees, and the government realizes that.

The steering committee of the committee suggested that we simply let this temporary standing order lapse and let the government go on, as governments in the past have, with its order-in-council appointments being passed by cabinet every Wednesday, and that is all there is to it. Bring in a permanent standing order for a full and lengthy debate in the fall.

The government, for reasons known best to the House leader and perhaps some others within her group of advisers, decided this was not what it wanted to do. They wanted to have the message out that this was, indeed, performing a useful function, when in reality we do not have any time to do it and the government did not want to assign us any time to do it.

What the committee has decided and the subcommittee has supported is that this summer we are not even going to go through that charade. We are going to take the time we have, the minimum amount of time we have, to review

three agencies in this province, one selected by each party. We will get back to our original mandate and hopefully do something where we can feel we are making a meaningful contribution to the operations of this government and to the taxpayers of Ontario.

All of us have to decide how we are going to participate or not participate in this process. As Chairman, obviously I am going to continue to participate in the process and be as non-partisan as I can under the circumstances, but I have significant concerns about the whole question of time. I know that time is a critical factor for all of us in this House and I think probably more so for members of the opposition. Some of us have two or three critic areas in committees and small numbers over here, so that we have, perhaps, more pressures on our time than government backbenchers. I do not know if I am being fair about that or not. I am only drawing on my own experiences, having served as a government backbencher in a majority government as well.

When you have to devote X number of hours per week to this process, you wonder if you are serving your own constituents and the people of Ontario well by going through this exercise. I have reached the conclusion that I am not doing that, and I would rather see my time put to productive use in many other ways.

This is a joke to some of the members of the government party, but like so many initiatives of this government, when there are some concerns expressed all we get is jocularity and hee-haws from the crowd across the floor.

There are some of us on the opposition side who are here to try and make a positive contribution. I do not believe, and I suspect the members of the opposition parties do not believe, that we are having an opportunity to do that. In fact, we would be much more effective if we simply ignored this standing order, simply ignored this process and devoted our time solely to a review of agencies, boards and commissions. Conform with our original mandate.

There is no way we can do the job adequately, given these additional responsibilities, in any event. But if we are going to try to do a bit of this and a bit of that, it is futile at best. My recommendation to my own colleagues and to the official opposition as well has been to simply not call for any intended appointees, simply ignore this process and move on to our original mandate and do something, as I said before, that is going to be meaningful.

Since we have not seen any significant moves in respect to this permanent standing order, no significant changes from the temporary one, I still stand by it. That is the way we should proceed. It is regrettable. I think with a few modest changes to the temporary standing order the process could have become much more acceptable and been much more effective and one in which most of us in opposition could have lived with, but the government has seen fit to, for the most part, stick with what they originally introduced. That is not satisfactory from my perspective, but if, indeed, we continue to proceed this way, as Chairman I will have to continue to conduct business in respect to the review of intended appointees.

Again I want to say that I am disappointed in the permanent standing order that has been brought forward. I am hopeful that indeed if we have to operate under this standing order we simply, as opposition members, do not take up the opportunity to review intended appointees when we really cannot conduct any meaningful review.

1610

Mr McGuinty: I think it is worth our while to begin by considering the problem for which this is the proposed solution. The problem was that the political appointments process, that system, has come into disrepute. It is now being seen as one where cronies are being rewarded for past service of some kind which favoured the party in power. The perception surrounding the appointments process, not only in this province but elsewhere in the country, was such that it has contributed to the cynicism which constitutes a major obstacle in the way of government today. Viewed in the context of that tremendous cynicism, it was important that this problem surrounding the political appointments process be addressed.

I have made reference to the matter that there is a perception that the appointments process is being abused, but I think it is fair to say that it has in fact been abused. Nevertheless, the process that is presently in place, even the new process put in place by this government, remains open to abuse. I think the best solution—this was referred to by the Premier in his announcement—is to establish a process which will ensure we get the best available person for the job.

I just want to quote from the Premier's original announcement. He said on 10 December 1990: "The public has a right to see appointments made by a fair process, a process the men and women of Ontario can trust. By ensuring public access to all details of appointments and by peeling away some of the secrecy surrounding the process, I believe we can ensure fairer selection of the best possible candidates." I would underline and emphasize the use of the word "best" by the Premier. That is a laudable objective.

Let's take a look at the solution that has been put forward and see whether we have accomplished the objective: to ensure that we get the best person for the job. Let's take a look at the constraints under which our committee is operating. First of all, and this has been referred to by the member for Ottawa East, we have no power of veto. The question we have to ask ourselves is, how can we purport to be exercising any real function if the Premier refuses to grant us a right of veto? Talk about a perception problem. Let's consider this: If all the members sitting on the committee decided they were not in favour of the intended appointment, the Premier nevertheless retains the power to proceed with that appointment.

The next problem we have is one of unequal representation on the committee. Again, if the government's sincere interest lies in ensuring that the best person gets the job, we should have equal representation. I guess it is all in how you define "the best person." My definition would be an objective one and it would require input of all of the parties equally represented on the committee. The Premier's definition apparently is a different one. It is a

subjective one. His definition is that the best person is the one who is the best person in his eyes and in the eyes of his members on the committee.

The third constraint we have to deal with daily is that we have no right to call witnesses. If we are to ensure that we are getting the best person for the job, we should be able to obtain references. That is not only through viva voce evidence but through documentation, letters of reference, through written submissions. We should ask ourselves this: Would any of us seriously consider having someone to assume a responsible position without having the benefit of obtaining references? Some of the positions we are considering are extremely responsible, in dealing with the administration of large and complicated government agencies. Surely we would want, and indeed we have an obligation, to obtain a second opinion.

The fourth constraint under which we operate is the fact that we have no information regarding the antecedent screening process. We are not told and cannot obtain information as regards who else was a prospect for the job. In short, we cannot tell if the best possible candidate is sitting in front of us at the time we are asking questions of him or her. When we ask the questions of the candidates, in all fairness to them they simply do not have the answer.

The information we are provided with regarding the screening process is at best sketchy. It is simply insufficient to allow us to determine or assess the integrity of the screening process.

The other constraint we are operating under is one of time. Given the tremendous volume of appointments the Premier is making, given the fact that our committee meets only once a week and that our committee is also responsible for the weighty task of reviewing agencies, boards and commissions, given all of those time constraints, we are effectively prevented from properly dealing with the appointments we seek to review, let alone all those that we simply do not have time to deal with.

Next let's look at the net result. I think that is important. We have dealt with 53 separate appointments. It is noteworthy that all of those have been concurred in as a result of the vote being carried by the government members: 53 appointments, 53 votes cast, 6 members sitting on the government side; that is potentially 318 votes that could have been cast. We should ask ourselves how many of those votes were cast against the appointment, put forward by the Premier's office, by members sitting on the government side? The answer is none.

Also in terms of the net result, I think it is significant that a number of ministers in this House, and the media, continue to refer to the intended appointments as if they were already appointed. That is merely a reflection of the fact that the process is really no more than pro forma in nature. Earlier it was referred to by the member for Ottawa East as a *fait accompli*.

Has anything really changed? Objectively speaking, definitely not. The government simply has not instituted a process that has enabled our committee to get the best person for the job. What is particularly disconcerting is the insidious aspect of this, that many people have been fooled into believing some significant changes have been made.

The analogy I like to use is that on 10 December 1990, I believe it was, when the Premier announced this process, he effectively said he was going to send our committee members to the moon. However, all he gave us was an airplane. We can fly that airplane out of sight and we can give the illusion that we have travelled to the moon, but the bottom line is that we simply do not have the tools, the vehicle, to pursue an analogy, to get where we intend to go.

If the Premier wanted to continue with the old process, he should have simply done so, as was his right. I think it is unfair and inappropriate for the Premier to lead us into believing that this appointments process, the review process, has somehow been improved.

I want to concur with the Chair's comments about the sense of frustration we as members of the official opposition feel sitting on the committee. I feel as if I am involved in some exercise in futility. I am disappointed at not having the tools to do the job and in all honesty, I do not feel I am serving my time here well or my constituents well.

1620

We have put forward an alternative and that should be highlighted. That was based on findings contained in a report called *Directions: Review of Ontario's Regulatory Agencies—Overview*, prepared by Robert Macauley. In that report he recommended the creation of a council for administrative agencies that would operate at arm's length from the government. Its function would be to seek out, interview and assess potential candidates and bring an element of impartiality and objectivity into the government appointments process.

The fact that the members at this stage are not prepared to move this process out of range of the government, to set it at arm's length, is most telling as to their real desire in terms of dealing with government appointments. It is also significant that the Conservatives and the Liberals, who are not by natural inclination bedfellows, have joined together in presenting our minority report and expressing tremendous frustration and disappointment with the process.

Given the situation connected with this committee and our inability to carry out our task, I think our time would be much better spent devoting ourselves entirely to the committee's original mandate of reviewing agencies, boards and commissions. It should be quite apparent, not only from my tone but from my words here today, that I am unable to support this motion. Thank you.

Mr B. Murdoch: When I first got elected and knew I was going to be coming to Toronto, I thought that somewhere along the line I would be able to contribute to everything that goes on here, not knowing that sometimes when you sit in opposition you are almost held at ransom for what you can do.

But in a way, after being here for some time I had the privilege and honour of being able to sit on this committee; I had a chance to fill in for my friend Mr McLean, the member for Simcoe, when he was on another committee. It certainly did not take long to figure out what was going on in this committee and what the Premier has been trying to do. I had been there for only a day or two when I found

out that this whole committee was a sham and a farce. It just is not doing what someone thought it was going to do. I do not believe one appointment that has been turned down has been sent down to this committee by the Premier. If there has been I would like to be corrected on that, but I do not think so.

The reason is that this committee is set up all wrong. This government got elected, so it decides: "We're going to make some mistakes so maybe we'd better find some scapegoats right away. Let's set a up committee, but we'll overload it with our people." It is just amazing. They want to find a scapegoat. They stand up here day after day and can never take the blame themselves. It is always the federal government or the past Liberals, and they even go back in to say it is the past Conservatives. They cannot seem to figure out that they are in there to govern now. They have been here for a while now and some of them even sat here other years and should know better how things work. They always seem to want to stand up and blame somebody else.

Now they set up this committee and say: "We're going to have a fair process here. We're going to pick people for commissions and boards in a fair way." But what is fair about this? As I say, I do not know of anyone who has been turned down, but there have been some votes. One of the only ways this committee might be able to work is if it has a fair representation from all three parties on there. I am sure they can be non-partisan on a committee like this and if you do not think it can—

Interjection.

Mr B. Murdoch: I know they laugh over there, but if they want a fair way then it will be. Or do they just want to put on their own political hacks the way they said the other governments did? That is what they are doing. If they want a fair way, they will put people from each party on there and make them even and then they might get some fair representation.

One of the other things that really bothered me about the committee is that they say, "You know, we'll vote against somebody if we don't think they're any good." They are going to vote against somebody the Premier has sent to them. That is what they say. But the days I sat there they interviewed some of these people. A lot of these people drive from a long way to be interviewed too, thinking this is an easy thing and knowing they are not going to get too much pay for the job they are being interviewed for. They go through gruelling questions that a lot of times they should not be asked by this process, maybe, but they are interviewed the one day and normally they are voted on the next day or the day after that.

The days I sat in there, the people from the government side who voted on them were not the same ones that interviewed them. How did they have any way of knowing whether these were good appointments or not? If they were not there to interview them, they should have stood up and said, "Look, I didn't interview these people; I don't think I should vote for them," and let the majority of the people from whatever party sitting there that day on the committee vote. If they want to be really fair, that is they

way it should be, but it happened all the time I was in there.

As far as I am concerned, this whole process is a waste of the ratepayers' money. Our people out there are paying for this process and not getting their money's worth. If this government wants to govern, if this is the way it is set up, it should be picking out the people for these agencies. If that is how they want to do it, they should do it. If they pick the wrong people, then they should take the flak for it. If they turns out to be wrong they should not try to blame it on a committee and say, "Well, the committee picked them; we didn't do that."

If they want to be a government and truly govern, then they are going to have to stand on their own two feet at some time and start to govern, rather than saying, "Oh, well, we're going to do this and we're going to do that." Then they have this big idea and say, "We're going to work with everybody," and that is fine; that is a good point, but saying, "As long as you do it our way," is a little tough, I say to them over there. If they want to work with everybody, then they had better start listening to some of the other parties or it will never work. This is one committee that shows it is not working. As I say, they should show me one person who has been turned down. Why did they not just pick them themselves? Why go all through this work? Why have all these people come in here and be grilled by some of the other members from some of the other parties? Why do they not just do their jobs, as they have been elected to do? That is one of the jobs they were elected to do, putting people on these commissions.

They will say, "What do we want to do?" I have heard the comments coming from the other side, saying, "What would you do?" As I said, they should make a fair committee with the same number from their party, from our party and from the Liberal Party. That way they will get a fair representation of all Ontario people. They have to remember that between the parties it is 100% of the people who got us elected, so to make it really fair that is what they have to do or cut the farce out. It really bothers me that we have to go through this charade. They are spending a lot of people's money on something that is a charade. If they want to make it fair, they should have fair representation from all parties or take the jobs themselves and do what they are supposed to do.

Mr Stockwell: Being a member of the committee, I have spent some time discussing with it exactly what would be a better process to use. What I have felt about the committee is not exactly a secret. To take us back about six or seven months, I suppose, when this was originally debated in this House some time in December, I suggested that this government was setting up a process that was nothing more than window dressing; it was window dressing to appease the general public. By appeasing the general public they were allowing it to believe there is a perception in the Ontario government today that certain cabinet appointments made in the past would be scrutinized by a non-partisan, fair, evenhanded committee.

1630

Mr Elston: Tripartisan.

Mr Stockwell: Tripartisan, yes; I am sorry—an even-handed, fair committee that would make reasonable recommendations to the House for the adoption of the motions that pass in cabinet. What has come of this exercise? Simply this: Never during this entire process has a government representative on this committee voted against a single recommendation by the cabinet, not once. In the debate last December, I suggested exactly that. I said you will not see a member of this government vote against a single request made by the cabinet, and I was accurate. I made a bet that they would not do that. No one would take the bet, and in hindsight it was probably very intelligent, because I think it was as clear as glass.

The process that is taking place today, the process we are involved in, is merely a process to protect the government—and I repeat that, to protect this government—from the charges it levelled against other governments. It is clearly that. That is exactly what we are facing. This government was absolutely paranoid about the patronage appointments system because it had been so vocal, and in some respects I think accurate, about the process that was in place. When they got into power their suggestion was that we had to clean up this process. In cleaning up the process, they struck a committee with a majority of members from the government side who vote in favour of every single recommendation that comes from the cabinet.

The cabinet recommendations on the major appointments are very partisan. On the major appointments in the past that would get publicity, the ones that the public would sit up and take notice of, they have been very partisan, if not NDP card-carrying working people, clearly people with that thought pattern, that feeling, the same socialistic trend, and they were appointed. Granted there is no debate on some of them. There is some tokenism involved. There are some Conservatives and Liberals. Those people are appointed who sort of protect their positioning.

The same argument could be made at the federal level when they appointed Stephen Lewis to the United Nations. If they honestly believed the federal government was appointing partisan individuals, they would simply stand up and say, "Stephen Lewis was appointed, so we are clean." The argument this government makes is, "We appointed Andy Brandt," and that in some way relieves it of responsibility.

It is truly a joke to suggest for a moment that the system has been changed dramatically. It has not been changed dramatically. We still have government making appointments and we have six hacks from the government side, six backbenchers who sit around on the government side and who endorse every single appointment. I plead to the backbenchers of this government. Even they can see through this window-dressing. Even they can understand how they are being used. Their vote is simply being used. They are nothing more than parrots and they sit there. When the boss crows, those people just mime whatever the heck they said: "Oh, this must be a good person. My briefing notes said so. I am going to support them."

Mr B. Murdoch: I wasn't even here to interview them.

Mr Stockwell: That is the other one. When the member for Grey, who was attending this committee, at a point during the proceedings noted—it was a very decisive action he took at the time by leaving the committee—very clearly that when they voted on one of the appointments, a substantial number of members from the government side had changed during from meeting to meeting, and they had not even known the individual who was interviewed, for goodness' sake. They did not interview them. They did not hear the debate, yet they still voted for the recommendation from cabinet. Now if that does not tell you, Mr Speaker, that they get their marching orders and they are not supposed to vote against any of these orders in cabinet, then with all due respect, I think you are slightly naïve.

Mr Hope: They take notes.

Mr Stockwell: The suggestion is they take notes. Then they have got to pass the notes around. I think the very clear indication of exactly how useless this committee is, is the government members themselves, the arm-holders, the strings that pull their arms up. They themselves have suggested that we not bother going through this exercise for the summer. They have agreed. They have said, "No, I don't think we should bother interviewing candidates for the summer. We are wasting taxpayers' money. We are wasting taxpayers' time. We are wasting taxpayers' hard-earned tax dollars." They themselves, who I know do not believe in this process, have said, "We shouldn't bother going through this charade for the summer." Here we have a slew of appointments that were handed down just today to the committee by the cabinet who will not be interviewed over the summer, and this government's backbenchers who sit on the committee say, "That's fine, because we know full well the committee is a colossal waste of time, effort and money."

The other point is that it becomes rather depressing to sit through meeting after meeting, hearing the same questions and the same typical responses, knowing full well at the beginning of the interview, during the middle of the interview and at the end of the interview that this person has got the job. It is very depressing to go through a process like that, because it renders the committee and its members totally useless. It actually takes up a tremendous amount of time that could have been productively spent serving their constituents. It takes up a tremendous amount of their time and involves them in a classic charade.

The real shame of it all is that this government is doing this for optics. Purely and simply, it is optics, public perception. When they go back to the public—maybe the public will still be naïve about this in four years—they are going to stand up, and I can hear them saying it on the platform. They will not be able to talk about An Agenda for People, because that will be totally landfilled by that point. They will want to talk about all the great processes and procedures they have instituted to change government workings, and this is what they are going to point to, this public perception that they have cleaned up the patronage system.

I charge this government with not cleaning up the public patronage system. I charge it with entering into a public

relations scam to try to convince the people of this province that patronage no longer exists, which is pure hokum.

I cannot imagine this government sitting idly by while a previous government member—I do not know the riding. It was in Scarborough; Mr Johnston. I forget his riding. If the Conservatives or Liberals had done this, they would have screamed blue murder and said: "Patronage, patronage, patronage. We must change the system because it does not work." Yet when they do it, it is okay. Does that not bother them? Do they not think the policies of this government were slightly hypocritical in the past, when on the one hand they can complain about the patronage system, and on the other hand enter into it as boldly and obviously as any party has done in the past?

If this government continues with this charade, our party has taken the position that it will no longer continue with this charade. Our party has taken the position that if they are going to make these kinds of appointments, as I said in December, they should make them. I am very prepared to have it make them. In fact, I am not so opposed to governments making appointments to boards and commissions. I accept the fact that the Liberals did it. That is what happens when you get elected. I accept the fact that the Tories did it. That is what happens when you get elected. I also accept the fact that the government of the day is allowed to do this.

They should not pretend. They should not try to kid the folks that they have any system in place that is any different than that of the previous governments, because my friends do not. They are no better and they are no worse. I think what they should do, rather than continue on with this charade, is fess up and admit the fact that patronage lives in Ontario, that it lives in socialism and that it lives in their government.

1640

Mr Silipo: I was actually going to wait until a few more members from the opposition parties had spoken, but that passionate speech by the member for Etobicoke West has just inspired me to get up at this moment.

As a member of this committee and as the government whip on the committee, I have been following this debate with great interest. It is, I guess, at least the third time that we have gone through this, a couple of times at the committee and now here in the House.

I think it is important, because the members of the opposition have put before us their views on this matter very clearly, that we make a couple of observations from this side of the House relating to the whole point of this process, how it has worked, or I suppose not worked from the opposition perspective, and what really the process is all about.

It seems to me that whether the opposition likes to admit this or not, it is clear that something significant has happened as a result of this process. In my view, the process is much more open than it has ever been in the past and I think there are a couple of things with respect to this that need to be pointed out.

First of all, there is a great deal more information going out to the public with respect to the whole range of ap-

pointments that are available. I think some members across the floor referred to the information package that is now available, but members of this House will no doubt have received this book, the guide that lists all the different agencies, boards and commissions for which there are vacancies.

This is now available not only in each member's constituency office but in many public places including every public library—

Interjections.

Mr Silipo: I would love to be able to hear what people are saying across the floor and speak at the same time, but I just cannot do it.

People should not underestimate the importance of having this information out there. I know, for one, as the local member in my area, that a number of people have come forward; they have heard that this process is there and that this information is available. People have come into my office asking about the various positions. As a result of that, I think there are clearly more people aware of this process and more people applying for the various positions than has ever been the case in the past. I think that access to information means there is a great more access to the various positions. I think the fact we have that process of being able to apply is the first point.

The second point is that having the committee in place and being aware that all the appointments that are made by particular ministers or the Premier's office are subject to the public scrutiny of the committee process means, I think, that the credibility of the process is enhanced and the credibility of the people who are put forward is enhanced. It means that every appointment that comes through, being subject to the kind of scrutiny that people know it may be subject to, means that people are going to be that much more careful to ensure that the people who come forward, as intended appointees, are the best people possible.

Mr Stockwell: How many of you voted against?

Mr Silipo: I will get to that. The member asked how many we voted against and I will address that in a minute. I think it is useful to take a look for a moment at how well the process has worked. Clearly, from the opposition perspective, it has not worked very well. My own sense is that while there certainly have been some problems with it, generally speaking it has not worked too badly. I would say it has worked rather well for some of the reasons I have identified before.

It is interesting to look at this question of how government members have voted on the appointments. It is true and there is no denying it; I do not think there have been any appointments on which there has been a vote against by the government members. There may have been one or two where individual members may have voted against it, I do not know, but clearly it has not been more than one or two. Equally important, I think, is to take note of the fact that, with the exception of the member for Etobicoke West, who has voted against every appointment that has come forward, every single one of them, there have been very few appointments which members of the opposition have voted against. What does that tell us?

Mr Grandmaître: He didn't bother.

Mr Silipo: Well, if he did not bother, that was not the point that was made at the committee, and I have been there most of the time.

I think it is important, therefore, to note that there have been very few times when there has been strong disagreement, or indeed disagreement of any kind, between the government members and the opposition members on the appointments. What does that tell us? Perhaps it tells us that generally speaking, the people who have come forward have been good people that have been put forward, and we have found them to be generally acceptable. In the cases where there has been disagreement, I am not sure that any process we would have had in place would have gotten us around that disagreement.

Mr Stockwell: So what is the point?

Mr Silipo: The point, I think, is—

The Acting Speaker (Mrs Haslam): Will you take your seat for a minute. I know there are a number of questions you may wish to raise, but I remind you that they are raised during your time when you are standing. To ask questions across the floor to the member engaged in debate is not accepted.

Mr Stockwell: I am sorry, Madam Speaker.

Mr Silipo: Actually I was just about to get to what is the point of the whole process, because that, I think, is what is at the nub of this whole discussion. The point of this whole process, it seems to me, is not to have a committee of this Legislature engaged in the process of appointing people to various agencies, boards and commissions; the point of this process is to continue the right of government, through its ministers, to make appointments and to have those appointments subject to review by a committee of this Legislature.

I know the members of the opposition have chosen to continue to fudge that one and to pretend that what we intended was to give them the right to appoint, as opposed to giving all of us members of that committee the right to review those appointments. There is a very clear difference in my mind, and I am sure there is a very clear difference in their minds with respect to that, although they have chosen to conveniently forget that.

I think there is therefore a clear difference. If the role of the committee is to review the appointments, it is not to become an interviewing committee in terms of hiring and appointing; it is to ensure that the people who come forward are indeed appropriate for the job they have been appointed to. It is only in cases where the committee feels they are not appropriate for those positions that the committee then has the responsibility and the right to say no.

The day may very well come when the committee says no, and I know the question of veto has been suggested and has been raised a number of times, although it was interesting to hear from some of the members opposite that there are now at least two different views about that, some saying they want the veto and some saying they do not want the veto.

Be that as it may, the issue is that if there are people who are found to be not appropriate for those positions,

and if the committee as a whole, or by majority decision, recommends that those not happen, I would be quite surprised if the Premier's office or the minister's office in those cases would continue with those appointments. Clearly they have the right to do that, but quite frankly I would be surprised if, after we had gone through that process and determined that people were not appropriate for those positions in our view, they would continue with the appointments. But we have not reached that point yet. Again I go back to the point that in the cases where there has been disagreement, I am not sure that any other process would have resulted in a different kind of conclusion.

Some of the members opposite have made a number of points with which I agree, interestingly enough, with respect to the committee's responsibility to review agencies, boards and commissions. Part of the frustration they have felt, I and members on this side have also felt with respect to our inability, because of the time constraints, to carry out that part of the committee's function. The new procedures that are suggested here before us today in fact give us that latitude.

Quite frankly, as a committee and also as a subcommittee, we have been going through a bit of a learning process with respect to that, because initially, and even in the latter weeks, the attitude has been to basically put as many names forward to be reviewed by the committee as possible. Perhaps our experience will begin to show that that in fact will become less of an occurrence and we will focus in on those appointments that really are crucial and really are important to address. That, quite frankly, is as much in the hands of the opposition parties as it is in the hands of the government members, because they get to choose, as we do, the intended appointees that will go forward to the committee to be reviewed.

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There are a couple of other points I would like to clear up. I know one or two speakers commented about the view of the government members with respect to the summer sittings. While there may have been agreement on the issue of asking the House leaders to look at the question of the summer sittings and how they impacted upon the committee's role, I want to be very clear on the record here in this House—and I think I made this very clear within the subcommittee meeting—that my agreement on that was never attached to my feeling that the process was not useful. I have always maintained that I think the process is useful and I think that the issue around the summer sittings was a question of the time-frame responsibilities we had and the fact that there are certain time lines that click in according to the standing order.

Much has been made of the question that we are not allowed to call witnesses. Again, I think that the House leader, in presenting the motion, addressed that issue. I just want to reiterate that I do not think it is useful for the committee to be in a position to be able to call witnesses because I think it turns the process into a very different process than what I think it needs to be. It is also interesting to note that in at least a couple of important appointments, people in the public certainly took it upon themselves to send us various letters indicating where they

stood on the different candidates coming forward, and clearly that information was used by the members of the committee in their questioning of the particular candidates.

Another issue I would like to address is the question of members who were not there for the interviews voting on the approval of the appointments. I think, again for the record, that issue was something we on the government side raised and very clearly said we were prepared to make changes on if the opposition members wanted to. But I think there was a sense within the committee—and this is important to put on the record—that because of the many responsibilities members of this House have with respect to the various committees they are expected to be on, they wanted as much as we did, and perhaps more than the government members did, to retain the right to be able to substitute members. I think, quite honestly, people cannot have it both ways, in wanting the right to substitute and then complaining about the fact that substitutes are used in situations where members of the committee are not able to attend.

The other issue I want to address is the question of the Macaulay report, which suggests a different way of dealing with this whole process. As we indicated in our report to the House, it is something we have not ruled out as something we should do down the road. It is something we feel we need to have a bit more time to take a harder look at, and to see if in effect it makes sense to make some or all of those suggestions. I have no doubt that is an issue that the committee at some point will address and I hope will address in a useful fashion and come forward with some recommendations.

For the time being I am quite comfortable with the changes that have been proposed with the new standing order that is before us. I think that the process of the review of intended appointees by the committee—and I stress that word “review”—has worked reasonably well. There have been some problems, but there always will be whenever you embark upon a new process like this.

Notwithstanding the member for Etobicoke West putting me and all the government members who sit on that committee in the category of hacks or parrots, as he chose to call us—I have been called a lot of things, but never a hack or a parrot—be that as it may, I think the government members have tried to do their job on this committee in as reasonable a fashion as possible, keeping very clearly in mind their responsibilities as members of this Legislature, not just as members of the government but as members of this Legislature. They have carried forward their responsibilities with a high degree of commitment and respect for the process. We have spoken our minds when we felt the individuals coming before us had some flaws and we have supported them when we felt they were appropriate for the task at hand. In that sense, I have no hesitation in supporting the recommendations that are before us.

Mr Elston: It is an interesting debate to join, because I am not a member of the committee except on occasions when, as the member for Dovercourt just suggested, others were not available to be there, although I happened to be in on the questioning of several people about whom a fair bit has been known. Michael Cassidy was one and Richard

Johnston was another. While they displayed in a real way their continual ability to be highly polished in performing in public forums, I found it rather depressing—

Hon Miss Martel: They have also made some commitment to the political process. Come on, Murray.

Mr Elston: The House leader of the government indicates that I might be a little bit off the mark here, but I did find it a little bit distracting that we could only spend 10 minutes as a caucus interviewing the people who were assuming jobs of very real importance. For instance, Mr Cassidy was going to join and has joined the Ontario Hydro board now. We all know that corporation is a huge operation and has a very large undertaking in respect of both business and other things that are being done in Ontario.

We know Mr Johnston likewise has a very real and difficult job as he joins an agency which is responsible for dealing with the government policy as it is reflected in community colleges and the relations that are required there not only to advise the government on new policy but it also seems, as we questioned him, to make a commitment to move government policy into the operational fields in community colleges.

While those people are very, very polished and while the credentials they showed us during our time there were of good quality, I guess is the only way I can describe it, 10 minutes to talk to those people per caucus is hardly enough to examine people's credentials seriously enough to be involved in the process of actually appointing them.

We know where the real discussions take place with respect to the appointments. They take place in the office of Carol Phillips, whose job it is to go through all the requirements, the right qualities list, for each of the applicants for the jobs at hand and tell the Premier or tell the ministers who sponsor the appointments, either by order in council or through the Premier's own hand, that these people are the right type of folks or these people are not the right type of folks, or there is a danger here or a danger there.

That is where the real work is done, because they take the time to go through all of the attributes of the people, including letters of reference and go minutely through the CV of each person to ensure that the appointments are going to be proper. That is where the real work is done, and it is not in a 10-minute interview that is conducted by one, two, or in our case, three members of the Liberal caucus in a public forum.

It is impossible to get to know a candidate who is not otherwise well known in a 10-minute public discussion. I found that very distracting. I found it in fact not very helpful in coming to terms with how a person was going to apply his or her philosophy to the operation of a task which is seen by almost everyone as an extremely important one in at least those two circumstances.

The issues about input are very interesting. The member for Hamilton Centre, who is also the parliamentary assistant to the Treasurer—Moneybags he is known as down in Hamilton, I believe—has asked, “How much time will we get with you?” I will tell him there was an awful lot of time taken with respect to appointments that were of

particular importance in a large number of cases. There was sort of a series of agreed-upon intraparty discussions conducted with respect to certain appointments, but I agree there were not any public sort of charades conducted about whether or not there were going to be any approvals given by the Legislative Assembly committee.

I can appreciate that in today's government, the way this province now operates as it does through a whole series of boards and agencies doing the work that government in its form here, conducted under the auspices of the executive council, used to do on its own. This is a highly complex province. This is a very difficult place to manage through the offices of a mere, what is it, 27 or 30? I have forgotten how many there are now. They are all so good. I lost count after I got over 25. It is impossible to conduct the affairs of the province through merely the executive council members' offices. That is quite clear. Government policy and the operation of the province must be conducted through the offices established under the boards and agencies and commissions, about which the appointments we are discussing here are of concern.

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For me, it is a very right sort of idea that the government should express in the majority of situations a real preference for people being put in place who will respect the guidelines and policy of the administration of the day. Otherwise, how can you have consistent application of the government's direction? I have no question about that.

I do have a question, however, when there is some scheme—which is how I describe this—brought down to make people think in some way there is a real review process in place. There is not a real review process in place. In fact, here are some of the difficulties.

There is no veto. I know the member for Dovercourt said there are some people who want it and some people who do not want it, but there is no veto. This group of people will never, I would dare to say, say no to somebody who has been cleared through the Office of the Premier. If that person appears anywhere as an intended appointee, he or she will become the appointed. That is very clear. We saw the statistics given by the member for Ottawa South, who indicated there were some 53 people who had been approved in the committee and some 318 possible votes to be cast by the members of the government party. All were cast in favour of the anointed appointees.

It is for me a real concern, because that means there is not only the tendency to feel that it is not really a good process, but a real—

Mr Grandmaitre: Obligation.

Mr Elston: —obligation just to pass through the appointments, as the member for Ottawa East has indicated. It is not only a perception that there is no power but it is a reality as well.

I have a real concern as well about some of the other parts of the operation of government that this reflects upon. I know the House leader from the other side has some interesting things to do here for the rest of the day, and so do some of the members of my caucus, but I have

gotten on to a wee bit of a thought about the philosophy of government here and I may go for a long time.

If this is really the operation of appointments to government boards, agencies and commissions that are charged to administer government programs on behalf of the executive council, if these people are taking carriage of delivering programs to the people, helping the public administration of the province, surely then it is but a very short step for the government of the day to really open up the process that talks about who is qualified to administer the province and indicate that deputy ministers will go before the committees, that perhaps members of the executive council should appear, all should appear at some stage in front of the committee to tell us a little bit about how they perceive the philosophy they have personally brought to bear in their intended areas and actually tell us how they are prepared to administer the public purse and the public trust and to develop policy which will be reflective of the need of the day. If we can do it for heads of commissions and boards and agencies, surely it is but a very small step to take it one step further and say the deputy ministers should appear and so should their bosses, who are going to be executive council members.

I can understand that perhaps it would be a little difficult for us to say much about the Premier. The people really speak most specifically about the Premier's position. The leader of the party that wins the largest number of seats generally is the Premier, and we cannot question that. But the Premier himself—or herself; I am convinced that “herself” will be the case at an appropriate time—should bring the choices he makes by order in council to those chief positions of the public administration in the province.

Why should it not be extended? That is a question I leave dangling just for the people who have talked to us about how open a process this is. I think it would be fair enough for us all to say that while there is a whole series of qualified people on the opposition benches, very few of us would expect that the Premier of the day would choose opposition people before his or her own caucus members. We can understand that, but for me it still seems necessary that the opportunities for public administration which are presented to the chosen people who are brought by the Premier for executive council membership should also be reviewed.

I would also like to ask some other questions, because I am very much interested in this whole process of open government and having people available to be reviewed by the committee. I want to ask a series of three or four questions.

For instance, what happens if a person comes in front of the committee on a day when we have a 10-minute discussion—10 minutes for the Liberal Party, 10 minutes for the Conservative Party and 10 minutes, in fairness, for the New Democratic Party? After having gone through some 30 minutes, which could be shortened, by the way, if the person chooses to make a statement or chooses to speak eloquently but at length, what happens if, after reviewing the material, we find out that some of the material which is presented to us is false? There is nothing in here that allows the committee to develop a recall process. Where is the real power, therefore, to influence the person

to retain the direction that he or she says to the committee he or she will undertake? What perhaps would happen if this committee were given the opportunity to review the Hansard material and find out whether or not everything that was said during the questioning was actually what was true? That is an interesting question and maybe that ought to be followed.

What can we do with respect to letters of reference which are received? As I understand, there have been only a couple of occasions in which letters have actually been received. One was a letter in support of a candidate, and there were three letters, at one point, against the appointment of one person, Mr Eliesen, who of course was becoming the leader of about a \$6-billion corporation. I think that is right. I guess he is to become the chief executive officer of Ontario Hydro; a person, by the way, who is running such an important organization that we were allowed all of 20 minutes as a caucus—20 minutes here, 20 minutes for the Tories, 20 minutes for the New Democrats—and he is in charge of what now has become a tool of economic development, useful for the government because it allows it, through his agency and through his direction, to actually indirectly tax the people of the province when the Treasurer runs out of his taxing resolve.

It seems to me that if people come in and say there is something wrong with this person, there should be leeway for the people in the committee to interview those individuals who are against the appointment. There should be an opportunity, for instance, to interview the people who are in favour of the appointment. That, for me, would provide a balance which I think would be significantly better and of value for the members when they ultimately come to make their choice by voting yea or nay.

What happens if a person comes in front of the committee and undertakes to do certain things, to carry out certain mandates that he believes are what he is required to do? What happens if a person comes in and says: "I have a duty to perform in relation to the ratepayers of Ontario Hydro as a director. I have an obligation of trust to protect those ratepayers against an increase of their rates beyond reason to do some other purpose"?

What could happen if there is an undertaking that certain policy movements should be taken on behalf of the colleges in the province, and that having never been done, the person continues to sit as the chairman of the board of regents? Is there any obligation, if it is really this committee which is making the appointment, to have those people return and report and also to make sure they comply with the undertakings they give to the members of the Legislative Assembly?

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Other questions come to mind: Having been appointed by this committee, if that is really what is happening, when will these people report to the committee? Will they be required to report on an annual basis? Should they not come to report to the people who appointed them? Should they not tell us what they have done since the last time they appeared in front of the committee? Should people be challenged if they do not fulfil their mandate?

If there is a real appointing power, or if there is a real ability to say something about people who are administering the public purse, the public trust and the public policy, then those people have an obligation to come back to the source of the power. If we analyse exactly to whom those people are now reporting, we will find they report back to the minister, to the Premier or some other organization only remotely connected to the Legislative Assembly committee supposedly empowered to appoint or not appoint them. If this process really works and if there is accountability in the process, then they ought to come home to the committee and tell us what they have done since they last appeared. Why is that not allowed in here?

I could go on for a long time and I apologize to my friend the member for Simcoe East who wishes to speak. I will wind up now.

There is a whole series of questions that fall, once you get into the whole issue of open government, about the style of delivery of public policy, the style of public trust generated and to whom the obligations and duties are owed by the people who are appointed. That discussion has not been held in a way that is full enough for us to support these materials. It seems to me there are a tremendous number of problems left hanging, a whole series of issues about the manner in which the public of Ontario are to be administered, that prevents me from fully supporting the activities of the member for Sudbury East.

It also comes to me that while all of these issues are swirling around us about the efficacy of this committee, the agenda for making this committee, its rules and regulations permanent is designed but one more time to put an end to the political fuss, to close the book on the discussion of philosophy of government with respect to boards, agencies and commissions and the openness of this government as compared to any other. It is designed in a way, at this late date in the session, to bring closure to bear, to prevent a whole series of questions being asked over the summer.

There was a suggestion made at one time that we consider this a little bit longer merely by extending the rules into the fall. I understand the resolve of the House leader to get this done and get one more item off the books, and I fully appreciate that she wishes to do that. Having done that now, though, it really behooves her to revisit, or to visit for the first time perhaps, some of the questions I have raised, and revisit some of the questions raised by the member for Ottawa South, the member for Ottawa East, the member for Etobicoke West and some of her own members who privately would say there are problems with the process when there are huge provincial corporations receiving new members to boards or new heads of their organizations.

This is not a process that comes to an end now. When you are involved in public administration, either you keep pace with the changing world you live in or you quickly become irrelevant. This particular committee may very well be irrelevant before it gets started, but the discussion around the issues I have enumerated and around which my colleagues have spoken earlier are not irrelevant. Those questions still will exist. The manner of public administration will

continue to exist for ever as far as I know, as far as I am able to foresee in the future anyway. Something will always be done, it seems to me, designed to show that one government has done something better than the others. This process is not better. It is a real joke when you only look at 53 out of so many hundreds of people being appointed by this organization.

We will adjourn tomorrow and, happily, people will take a bit of time off. But I can assure the people watching that we will not be on holidays between now and October. We have a lot of committee work to be done. We have a whole series of jobs to do. Happily, however, we will be gone from this place, but the executive council never rests.

If the executive council member is not here, there is a substitute who will sign the appointments that have been checkmarked off by Carol Phillips and by all the proper people in the ministry. A whole series of appointments will be generated for whom the 30-day period will not cause any jeopardy whatsoever, because in July and August those appointments are going to get out of here, taken away from a review by the committee in the interim and deemed to have been appointed. There will be a deemed report, in fact, to the chamber, which is not even sitting. That is another matter, but that is what these rules say.

It seems to me, therefore, that there will be an increase in activity projected for a whole series of appointments which could cause us to be severely limited in the choices of people to be seen. All of those things are causing me problems, and all of these result in what would be viewed by a right-thinking person, a rational person like yourself, Madam Speaker, to say that this motion should be rethought and at the very least should probably be amended when we come back here and look again at these rules in the fall.

The Acting Speaker: Thank you to the honourable member for partaking in this debate, a right-thinking individual.

Mr McLean: I will be brief, but I wanted to put a few things on the record with regard to the report of the standing committee on government agencies that has reported on its activities and the dissenting report from both the Liberal Party and the Conservatives.

I have been on this committee full-time since it was established, and have enjoyed my work when we dealt with agencies, boards and commissions, reviewing agencies. However, since we have been reviewing the appointment process it has been a little bit different. The reality is, back on 10 December 1990 the Premier announced his government would be implementing new measures to ensure greater fairness in appointments to government agencies, boards and commissions. The Premier at that time stated: "The public has a right to see appointments made by a fair process, a process the men and women of Ontario can trust. By ensuring public access to all details of appointments and by peeling away some of the secrecy surrounding the process, I believe we can ensure fairer selection of the best possible candidates."

The Premier and his government have instituted a rather feeble attempt at this post-appointment process, because the people should be aware it is not a selection from

two or three for one individual; the selection process is done by the government and the ministry, and that one individual is then recommended. It goes then to the committee, whereby it has the opportunity to interview and deal with that individual.

So the process and the access to all details of appointments have not been provided—I want to be clear about that—nor have any of the shortcomings of the patronage system. It has not changed. The government avidly criticized for a long time the appointment process of previous administrations and we are still of the opinion that any governing party should have the opportunity to make its own appointments. We see nothing wrong with that. However, I do not think the impression should be that there has been a hearing process whereby the best person is picked from the committee interviewing that individual, because that is not happening.

I believe the money and time consumed to deal with these is a waste of taxpayers' money, because of all the ones we have dealt with, not one member of the government has voted against any of them. The House leaders indicated they are all good candidates. That is fine; then make the appointments and be done with it. They should not have it go to a committee to try to indicate to the people of this province that they are open and fair and being dealt with in committee, because they are not.

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So there are a lot of deficiencies in the process and those deficiencies are exactly as I have explained. They are recommended from the ministries or the Premier's office. I think that is fair and I do not think a committee should have to deal with the background of individuals after they have been recommended, because no government ministry is going to recommend anybody unless it has thoroughly searched out the individual and knows the person is a good appointment.

So I see no problem with their continuing to make their appointments. There are individuals in my riding who thought it was going to be great now that we have this great open process whereby people can write in and can apply for a position. That is still there. The process is there; they can do that. But the problem I have with the process is that the ministries themselves are going to make sure they pick the individual they want and, as I said before, I see nothing wrong with that. I think that is fair.

There have been some recommendations, Madam Speaker, in committee, as you are well aware. On many recommendations, the government members do not see eye to eye with the opposition parties and that is understandable. I can accept that. However, if the process is going to remain the same as it is, I do not feel it is worth the amount of time and effort that is being spent on it.

I indicated there has not been one recommendation that has not been accepted by all members of the governing side. So why come to the committee with the appointment? The government should make the appointment and have it done. It should not give the people in the province the impression that it is open. A lot of people thought that three, four, five or 10 people would be in open competition and they would be looked at by the committee. It is not the

committee that deals with that, so the government should not try to fool the people that it is happening. It is not happening.

I say to the government it should make the appointments and continue the same as it has in the past. I would be quite happy to see it done that way because I feel that my time in committee is not being put to the best use that I would hope it would be. Dealing with the agencies, boards and commissions—like the food terminal, all these other boards—I feel that this is more beneficial. It is important that a lot of these agencies be called to look at the efficiency and the working of them.

The Macaulay report that was authorized back in 1988 by the previous administration has not fully been looked at. I see in the report here, where they indicate that further consideration would not add any useful purpose to the committee from that Macaulay report that was done.

It simply says, in the report, that we were prepared to continue to co-operate to improve the process. We want to improve the process. I would like to see the process improved, but I do not see that happening and I am disappointed that we are not dealing with the Macaulay report in more depth to make sure that some of those recommendations that were recommended in that report are put in place. I am hoping that it will come forward.

I do not have much more to add other than the fact that I want my friends to realize that the process they thought was here is not here for open scrutiny of the people and the committee to deal with. It is a recommendation from the ministry and it is either accepted or rejected by the committee and there has not been one that has been recommended that has not had the full support of the government members.

So the process is there, but the process is also there to make those appointments and the government might as well go ahead and do them and forget about the committee and let the committee go on and do some more important business.

Mr Mahoney: Is this going to be an apology?

Mr Hayes: No, you do not apologize to someone when they do not do anything. So they cannot do anything wrong.

Mr Mahoney: The only time you stand up is to apologize.

Mr Hayes: And I am big enough to do that.

Mr Mahoney: Also big enough not to take credit for it.

Mr Hayes: Madam Speaker, one thing I do want to say is that the members opposite are very fortunate that you are in the chair this evening, because I am sure you would not be putting up with a lot of this nonsense that is going on over there. Anyhow, Madam Chair, I would just like to—

Mr Elston: Madam Speaker.

Mr Hayes: Madam Speaker. Thank you very kindly. That is what happens when you do not speak too often, when you listen a lot.

The member for Grey made a comment, and I can kind of sympathize with him a little bit, that he feels he really is not part of the process in making some of the decisions. I

was here before, when the previous government was in charge of making appointments. If he feels frustrated today he should have been here before, because before, even the members of their own party, the members of the government, did not know who was being appointed and had no idea of the background or the expertise or knowledge the person had to deal with the various committees.

I find this process is a real improvement from what has happened in the past. I think the important thing here is that even though the members opposite say we in the government have not voted against any of the appointees, that does not say we will not be voting against any of them, because no one in this government told us how to vote. The fact of the matter is that something that is happening now is that the public is really seeing what is happening. The public has an idea of who these people are who are being appointed to the agencies, boards and commissions. The media are welcome to come in and they do come in and even interview some of the appointees and interview the members.

Something else that is being done now is the ABCs, which is a book that is put together and put into the libraries and into the constituency. As a matter of fact, one of the appointees we dealt with this morning had found the information out on that certain committee and applied. The individual was not searched out by the government or any other members to say, "Come and put your name in for this committee."

So I just think what is really good here is that the committees have a right to see the résumé and even number 6 on the proposals here, where it says:

"Upon notice from the clerk of the committee that an intended appointment has been selected for review, the minister who recommended the appointment shall provide to the committee a copy of the intended appointee's application, a copy of his or her résumé, a description of the responsibilities of the position, a detailed description of the candidate search process and a statement of the criteria by which the intended appointee was chosen."

Now if that is not open government, I do not know what is. I do not see anything secretive about that whatsoever. There is all kinds of information that the members have, and if the members choose to vote their way—I know some of the members of the official opposition did vote in favour of some of the appointees and I think I even saw one of the members from the third party put his hand up halfway there this morning. I think he felt that was a good candidate.

I believe if the members opposite really wanted to be serious about this process they would see that it certainly is a breath of fresh air. People tell me we have a government that is open, a government that lets people know just what is going on. If this process is secretive—I do not know—I think the members are dreaming a little bit. I think they will see this as a great improvement and they will see more improvements in the future in this process and many other processes.

1730

Mr Hope: It is a pleasure to stand before the House today to talk about this issue. I think it is really great to see such a proposal being put forward today in the process we have been using. Did members know there are dedicated people in my riding? These were dedicated people even before they searched out these positions that are available, who took the time, their own personal time, and some of them did have families too, to be actively involved in their community and understanding what is going on.

Under the previous administration, whose members hold haloes over their heads, that information and understanding when the appointments were coming up was not accessible to us. The only time they found out, I must add, was after the fact, after the appointment was made and they maybe went in front of the board or in front of the commission. Then they found out who was in that position.

We have people with great knowledge out there in our communities who have been activists without pay. They were dedicated to what they were doing in their communities. I start to wonder if the intentions of this government did not stimulate some conversation in the communities, because when I am sitting there in my office on the weekends, dedicated to making sure I hear the viewpoints of my constituents and understanding their concerns, there are a lot more people now coming to see me about this, about possibilities of their obtaining positions and how they go about it.

One of the fortunate parts of it is that they are people of all political colours. I have had people—and other members must have had it too—who come into the office and say: “Randy, I really never voted for you in the election, but the information I have presented to you today just shows I have a different philosophy. But I have been actively involved. I do have a social conscience on this particular issue.” It is one of the things that make them feel they are a part of this government—an active part in decision-making.

The other important part is that, as the member for Essex-Kent clearly put out, previously members from our area and other areas probably did not know who was being appointed. They say this is a closed process. Unfortunately, I do not sit on the committee. Sometimes I wish I could, just to see what was really going on, but as we are dedicated to our jobs and understanding what is going on, quality time is an issue. They have an opportunity to see who is going to be holding the positions, possibly once the vote is conducted. They have the ability to understand, because one day they may have to go to that individual and consult with him on an issue.

So when they say it is a closed process, this government has opened the in door, the out door, the side door. We even opened up the right-hand door a bit so they could come and see.

When I listen to the arguments talking about quality time sitting in these committees, Madam Speaker, I know you are about as capable as I am, which is very capable.

Some hon members: More.

Mr Hope: Oh, more? Okay, even more. I must add that one of the things they talk about is 10 minutes to interview an individual.

Mr Hayes: They chose that, by the way.

Mr Hope: I am being told by the member for Essex-Kent that they chose that time frame. They have been so used to making 10-minute speeches in here to get a question across, that is why they are having a hard time utilizing the proper 10 minutes allocated to them. Now most of us can ask a question in 15 seconds. We can get a lot of questions in and we will get a lot of knowledge from that individual.

The other important issue they talk about is quality time, sitting on this committee. I must add that individuals themselves, when they are doing something, make it the most quality time they can. If you go in with a negative attitude, Madam Speaker—and I know you never walk into an issue with a negative attitude. It would never happen. But if you walk in with a positive attitude to contribute to a process, there are a lot of good things that come out of it—having these committee hearings and the committee itself understanding the individuals who are being recommended and then appointed and understanding the philosophy in opening up the doors.

A good thing about this that I heard today is that this document is now being put in our public libraries. I just wonder how many people actually go into that public library, because I believe in my community and in the library there.

Mr Elston: The attendance is up.

Mr Hope: The member for Bruce says the attendance is up. Do members know what? He is right. The attendance is up, because more people are going in. When they are looking at this book that talks about agencies and commissions, they also take a little bit more time to scan through and look at the books and read the books. If we did a survey, we would probably find out that the membership in libraries has probably increased because more people are utilizing the libraries.

Mr Hayes: Government openness.

Mr Hope: It is a matter of government openness. We have opened up not just the doors of Queen's Park to this issue of appointees. We have opened up the libraries. We have opened up their constituency offices, which had probably never been opened all the years they had been in government. That is one of the values of it.

Do members know what I feel very good about? Because I do not sit on this committee, I feel very good that people are taking the time to come in and see in my constituency office. Do members know why? As I clearly indicated before, we get people of all different political colours who come into our offices. Some do not have political colours; they are neutral.

Because of the propaganda that is being put out by the other side, the—

Interjection.

Mr Hope: Okay, the slanted view of different issues, the budget and that, gives me an opportunity, because I take the time to talk to those people about those issues.

I fully support this initiative that our government is putting forward. I think it is one of many that should be done across this great country. This is nothing new for this government. We said we are committed to opening it up. We are opening it up and we are making sure that we can get a broader viewpoint of people making applications to these jobs. I know they are going to serve this province well. I reflect on a member who has been appointed to the Liquor Control Board of Ontario with some little confrontation. I know he is not a card-carrying member of this party. He used to be the member for Sarnia and he is a credible person. He has a lot of credibility in the Sarnia area. I am sure he will serve the province well on the liquor control board.

There is a process in place, a credible process, and I know the people of Ontario feel good about it. Unfortunately, I wish the opposition would also feel good about it.

Hon Miss Martel: I appreciate the participation of members in this debate. I have some comments I would like to make in response to what I have heard and to reiterate again the government's position with respect to this matter. I will not respond to the comments made by all the members, but there were a few that struck that I feel I have to respond to.

First, the member for Leeds-Grenville made a point, about a particular appointment to the WCAT, to which I take some offence. Fortunately, most of the afternoon was spent in very non-partisan debate, but he did make a particular reference to the fact that one of the appointees and one of the people who came before the committee happened to be a friend of one of the members of my staff in the House leader's office. I am sorry he made that comment, because the fact of the matter is Nick McCombie is a very good member of the WCAT. He has served well as a worker representative and he will continue to do so. It was most unfortunate that, instead of talking about his qualifications to that particular board, he would make reference to knowing a member of my staff. I felt badly about that, because otherwise I assume he is a good non-partisan Chair in that committee.

1740

Second, the member for Grey said he was there on several occasions when members voting on particular appointees were not involved in the interview process. I will just take members back to the process on all committees in this place. We all sit through hearings, whether they are public or whether they are interviews from various ministries, talking about public accounts, etc, where there is a great deal of substituting in and out on those committees. That is a necessity in this place. People have other commitments. They sit on other committees. We all recognize that the roles and responsibilities of members mean they have to be as flexible as they can while still trying to assume those responsibilities.

By the same token, I do not think that means the committee members did not communicate to the people who

came in what the extent of those discussions was and that the government members themselves did not have information about the particular people who had been interviewed and did not have some good, solid ground upon which to base their vote. I just point out again that we all go through substituting in and out. That is not new or uncommon, but I certainly do not think it undermines the ability of individual members to make responsible decisions when they sit on each of those committees.

Second, he also said he does not want to be part of a committee that may be blamed for bad appointments at the end of the day. I point out to all members that we all recognize that at the end of the day the government will be judged on the basis of the appointment and on what we do or do not do over the next four years. We all recognize that. I do not think it is very fair or reasonable to say that because particular members participate on that committee and participate in those appointments, they are going to be held accountable at the end of the day. They will not. The Premier, the cabinet, this party and the government will be held accountable at the end of the day. We will receive credit for people who do a good job and we will receive condemnation for people who do not do a good job and may act in a foolish way. I think all of us recognize that.

The member for Etobicoke West made a point again and again of stating that he sat in that committee and has not seen any government member vote against a particular appointment. I think I would make two points in this regard. First, I do think it speaks to the quality of the candidates the government is putting forward. We will all have to agree that because the process has been opened, because the information is now made available to the public, there are many more people applying. I really believe the government is making a serious effort to canvass the broadest possible number of the public in order to get good candidates coming forward. I do not think the comment he made with respect to the government members not having voted against a candidate is really relevant in this case.

I think he forgot to point out, as the member for Dovercourt did, that he goes in there and votes against every appointment. I cannot believe there are not good, solid people coming before that committee who can fill a good role in the public service. I am certain he must have supported Andy Brandt's particular appointment. I know our members did. I thought it was very appropriate that a former member of this House who had served the public well in public office should have an appointment to this government. I have no trouble with that at all. I also think that many, if not all, of the people coming before that committee have good, solid reputations and good credentials. At the end of the day they will make fine servants of the public and they will carry out good public policy in this province.

A couple of questions were raised by the member for Bruce, and I will try to respond to them as best I can. He talked about the possibility of an appointee coming before the committee and making some particular comments, and when you checked in Hansard later you would find that those comments were not true or valid. To respond to that, what would we all do if someone did that before a hiring

team? That person would be fired or would not get the job. In the same way the government will be judged by its appointments at the end of the day, if someone has come before the committee and willingly misled it, at the end of the day we are going to have to do something about that. I do not think it is appropriate if someone does that. I would certainly like to know if someone has done that. I think the government members themselves would be very embarrassed about that and would not want to proceed with the appointment of someone who has willingly and knowingly come before the committee and lied to the members about his or her qualifications.

Second, he asked what can be done with respect to letters of reference, etc, and pointed out again that we should have the opportunity to bring other people forward to talk about the candidate in question. I really worry about that particular process and what that would do with respect to people who want to come forward, but are quite concerned that people who do not want them to be appointed, not for reasons of their capability but because they hold a completely different philosophical view about the world, would come and try to engage in perhaps a character assassination.

I worry about the kind of message that sends out as we try to bring qualified, competent people in to do the business of the public and whether we will get those kinds of people coming forward because they might worry about that happening. I think we run a real risk there and that is why the government does not believe we should go that one step further and invite people to come. It has happened at the committee that people who have—

Mr Elston: Should one dismiss that problem at the stage of review?

Hon Miss Martel: No, but I think what has happened at the committee, and the member having sat on the committee a couple of times will know that people who—

The Deputy Speaker: Please address your remarks through the Chair. It is easier that way.

Hon Miss Martel: I am sorry, Mr Speaker.

People who have concerns have made them very clear to the members of the committee. In fact, during the questioning of the particular appointees, a number of those people have raised questions about concerns raised by people from outside. I think there is a way to have that discussion. I do think there is a way for people to have their concerns raised, although they would go through the opposition members. I have no problem with that, but I do have a real concern that if we start opening it up, we will lend ourselves to a process that is not really to talk about the qualifications of people, but to come and assassinate their character because people have a different philosophical view about where they are heading in the world.

Third, he talked about the obligation of appointees to come back to the committee and report on what they had done. There are thousands of appointments that go on with this government. In fact, the committee itself will go through a good number, but not by any stretch of the imagination all of the thousands involved. At the end of the day this government will be accountable for what those appointees do. If they go out and act foolishly in a way that is

a complete embarrassment to the government, the government will suffer that; not the individual members of the committee, not the opposition members, but the Premier and this cabinet because we allowed that appointment to go through. I really believe there is a check with respect to the conduct of the people we appoint in this province.

If I might, I would just like to go through the recommendations made by the opposition members and reiterate why the government does not believe it can accommodate the particular requests. There was some comment on the recommendations.

First, the opposition has requested that the committee obtain information on the candidates who applied for the positions but were not selected at the end of the day. Again, I do not think this agency should be considered as a hiring agency; it is not. The mandate of this particular committee is to deal with the appointments the government has put forward. I do not think it would serve much of a purpose to put to the committee all the candidates who applied and all of the qualifications because at the end of the day we may well turn off people who otherwise would have applied but did not want their interest known until a decision was made.

I do not think there is a necessity to proceed along that route. We certainly have indicated, inasmuch as we can, that we will provide all the relevant information with respect to the candidates, their qualifications, a detailed analysis of the search that was carried out and the criteria by which candidates were successful. I hope that at the end of the day we give committee members the comfort they need to determine that the persons are quite capable, competent and qualified to do the particular job we are asking them to do.

Second, the opposition has requested that submissions be received from third parties with regard to the appropriateness of intended appointees. I think I have spoken sufficiently on that point to say again that we are very concerned about what that might lead to. We certainly think the public has an opportunity to express its concerns via members who can then ask questions of the candidates as they come before the committee. I think that is an appropriate mechanism and a way for that to occur.

Third, some of the members of the opposition have asked for veto power over the particular appointment. I point out again that it is a matter of law that the Lieutenant Governor in Council, on the advice of the Premier, makes these particular appointments. At the end of the day the government will be responsible for the appointments it makes and we will be responsible for the conduct of those appointees. If they are wise, we will reap the benefits from them. If the appointees have been foolish choices, we will suffer from the condemnation, and I think that is the way it should be.

At the end of the day this particular committee is not a hiring agency, as I said before; it is an agency whose mandate is to look at the appointments put forward by the government, comment on them and have access to the qualifications and criteria by which the appointees were actually nominated. I do not see that this will change. A number of members talked about the Macaulay report and

a separate agency of the government to deal with appointments. I can only say at this point that very report is in the hands of the Attorney General and the Chairman of Management Board and we may well move towards a similar system, but at this point in time the government does not have an intention to proceed that way.

The Deputy Speaker: Miss Martel has moved government notice of motion number 22. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

The House adjourned at 1752.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	Government whip
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, to the Minister of Northern Development and to the minister responsible for francophone affairs
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Treasurer of Ontario and Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	Deputy government whip
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	PC chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	Opposition House leader
Eves, Ernie L.	Parry Sound	PC	PC House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaître, Bernard	Ottawa East	Lib	

Name of member	Constituency	Party	Other responsibilities
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment, minister responsible for the greater Toronto area
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Jamison, Norman	Norfolk	NDP	Chair, standing committee on estimates
			Parliamentary assistant to the Minister of Industry, Trade and Technology
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Jordan, Leo	Lanark-Renfrew	PC	
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chairman of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief opposition whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathyssen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
McClash, Frank	Kenora	Lib	Opposition deputy whip
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	

Name of member	Constituency	Party	Other responsibilities
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment
			Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	Opposition deputy whip
Owens, Stephen	Scarborough Centre	NDP	Parliamentary assistant to the Minister of Correctional Services
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Government whip, Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker
			Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation
			Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice
Wildman, Hon Bud	Algoma	NDP	Vice-Chair, standing committee on the Ombudsman
			Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs

Name of member	Constituency	Party	Other responsibilities
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Wiemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations

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 Clerk: Douglas Arnott

Ombudsman

Chair: Mark Morrow
 Vice-Chair: Drummond White
 Members: Alvin Curling, Joan M. Fawcett, D. James Henderson, Peter Kormos, George Mammoliti, Bill Murdoch, Margery Ward, Paul Wessinger, Jim Wilson, Elizabeth Witmer
 Clerk: Franco Carrozza

Public accounts

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Legislative Assembly of Ontario

First Session, 35th Parliament

Assemblée législative de l'Ontario

Première session, 35^e législature

Official Report of Debates (Hansard)

Thursday 27 June 1991

Journal des débats (Hansard)

Le jeudi 27 juin 1991

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 27 June 1991

The House met at 1000.

Prayers.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

LEGISLATIVE REFORM

Mr Callahan moved resolution 18:

That in the opinion of this House, the legislative process must be reformed to allow individual members the ability to vote for or against a measure as the majority of their electorate wishes, without it triggering a dissolution of the Legislature. It is also fundamental to a true democratic process that every individual member have a meaningful opportunity to participate in the policy decisions of the Legislature and this House calls upon the government to reform the parliamentary process in a way which would make the contribution of all members more meaningful.

The Deputy Speaker: Pursuant to standing order 94(c)(i), the honourable member has 10 minutes for his presentation.

Mr Callahan: First of all, I would like to say that 10 minutes is hardly enough time to debate an issue as fundamental and as important as this is to the continued respect that people of this province and, perhaps if it is taken up, other parliaments of this country have for the electoral process. I would hope that at some later stage there would be a full day or more devoted by this government to debating this very important issue.

I might also say that anything I am going to say in my remarks will not be partisan. It will refer to all governments that have operated in this House.

The interesting thing is that each one of us is elected by the people in our riding with great expectations. They anticipate that when we come down here to the Legislature, we will in fact be representing their views at all times.

I think anyone who has been in a majority government recognizes that this is not the case. There were catcalls from your side when you were in opposition; there are catcalls from this side when in fact everyone is applauding and voting exactly the same way. It is almost like pushing the button on a cash register; sometimes it registers a sale but more often than not it is a no sale.

I suggest that this issue is as important as the constitutional issue. Interestingly enough, Mr Spicer's report will be made public today. This issue is at the heart of the whole democratic process. For some reason, we have adopted a parliamentary process in this country that requires that party loyalty and party vote be the same on every occasion. I suggest to you that this does nothing but weaken the democratic process and in fact tells the person who has voted for the local member that he or she has absolutely no power here at Queen's Park.

That is a bad message to be sending out to the public. In fact, there should be, as I said in my motion, a reform of this process allowing for greater participation.

At the present time, we for some reason seem to think that if the party in power does not vote unanimously for a particular issue, the government will fall. That is not the case. In Great Britain for seven years, between April 1972 and 1979, there were 65 defeats of government measures. In fact, in recent British history there have been defeats of financial matters where the government has not fallen either.

In taking our parliamentary history from England, it is interesting as well to note that the purpose of the whip was not to handcuff people and bring them down and make them vote in a particular way. The purpose of the whip was to be a liaison between the private member and the minister, and if the whip could not convince the private member that his or her views had been heard by the minister in formulating policy, that person would not show up for the vote.

As you can see, we have a sort of aborted version of that which results in a situation that I am sure is recognized by people who watch a vote in this House on television.

I suggest there are ways this could be reformed. In the Northwest Territories—and this would be the most absolute way—there are no party affiliations whatsoever. People are elected at large, similar to a municipal election. At their first sitting in the House they choose their cabinet ministers and their leader and the Premier. If they are not happy with the cabinet ministers or the Premier somewhere along the way, they can change them at any time. I suggest that this is true democracy. I do not expect we are going to move to that system this rapidly, but I do suggest to members one thing that could happen.

In the processing of bills, as you know, we debate second reading in this House, which establishes the principle of the bill. Then when we go out to the committees and travel this beautiful province and spend taxpayers' dollars to find out the views of interested Ontarians, because the principle of the bill is already in place, it is like going out and listening to nothing. None of their views will be taken into consideration in terms of amending that bill. We have all seen it happen. When it comes back to the committee and we go through it clause by clause, very few, if any, amendments are made to that bill.

I suggest that if we change just this small thing, if instead of sending a bill out after second reading we send it out after first reading, before the principle of the bill is established—let it go to a committee, empower the committees to travel the province, to take the views of the citizens, to take the views of their own constituents, entitle and empower them to introduce amendments to that bill—we may get a whole series of amendments from various party members on that committee, but the United States does not seem to have difficulty with that. What you do is

you give and you take and you come up with a bill that eventually is meaningful.

At present what we have is a system of government which is really ruled by the cabinet and, in most cases, not even the cabinet but a select group in the cabinet and the civil service. If that is the totality of the ideas that we can put into place in public policy in this province, we are bankrupt and I am surprised that we have survived as well as we have.

We are going into very bad times. Ontario is under a great deal of pressure constitutionally but also under pressure in terms of citizens of this community becoming very cynical about politics. So I suggest to you that this is a very important issue. It is as important as the constitutional issue on which we have about five committees travelling this country and taking the views of the electorate. I issue a challenge to the government of the day. If they are truly democratic, which is part of their name, they will establish a couple of days for us to debate this even further, perhaps to set up a select committee to travel this province and gain the views of the electorate as to whether or not they would like to see the process changed. I issue that challenge to this government. If it is not prepared to do it during its mandate, it is missing out on one of the most important items that we as elected people can expect. I know when I go back to my riding, I want to be able to tell my people that I took their very distinct views, their very distinct problems to Queen's Park and had some ability to solve them.

1010

I understand what the members opposite are going through. They have got a large majority. We call them clapping seals, and that is perhaps unfair, but in fact every one of them stands up on every measure that the government puts forward. Surely to heaven that cannot be because the members opposite believe in every measure. It is because they are forced to do it. They are forced by perks that are within the power of the Premier's office. That also has to stop. The powers that the Premier has to enforce a total vote have to be taken away.

Members of this Legislature, when an election is called, are going to have to go back to their ridings and ask for the trust of their electorate. If all they can say to them is, "Every time the government put forward an issue, I stood up and voted for it," they are going to have to defend those policies. Some of those policies are going to be contrary to the beliefs of the people in their riding, and they are going to find it very difficult to establish those.

The chicken way out, of course, is not to show up for the vote. I think that is an even bigger fraud on the public because these people have elected the honourable members and are paying their salaries to be here to deal with issues that are very important to them.

I am going to reserve the last two minutes. I would like to hear the statements by other members of the House. I would like to reserve the last two minutes, or whatever I have left, for response.

Mr McLean: I welcome the opportunity to comment briefly on this resolution brought forward by the member

for Brampton South, a resolution that calls for a reform of the legislative process to allow individual members to vote for or against, as the majority of their electorate wishes, without triggering a dissolution of the Legislature.

This resolution also notes that it is fundamental to a true democratic process that every individual member have a meaningful opportunity to participate in the policy decisions of this Legislature. It calls upon the government to reform the parliamentary process in a way which would make the contribution of all members more meaningful.

I would like to assure the member for Brampton South that I support the spirit of this resolution because it would allow all elected members to exercise more fully their speaking and voting freedom in this Legislature. It would also ensure that elected members adopt a philosophy I have always embraced, which is to be accountable to the people who have so much faith in us that they elected us to represent them in this Legislature.

However, I am puzzled about the source of this resolution. I am curious because it has come from an opposition Liberal member, and I know the previous Liberal government would never have supported this resolution. I suspect the current NDP government will not support it either.

That saddens me, because I remember a time when my party was in power and there was a proposal to close Ontario Hydro's regional office in Orillia and shift operations to Bracebridge. I recall this event very clearly because I, as a member of the governing party, took on Ontario Hydro at a public meeting which was attended by over a thousand of my own constituents who were opposed to this move. Needless to say, Ontario Hydro still has a strong presence in the sunshine city, and I feel it was people representation that made that happen.

I urge my colleagues here in the Legislature to give some serious thought to this resolution. Let us reform our process of democratic government and strengthen representative democracy here in Ontario.

In many cases, issues are currently dealt with in a partisan manner. It is my hope that by passing this resolution to reform the existing system, we will see some cross-party, issue-based coalitions formed that will deal with matters that are really relevant to our constituents. It would result in a true reflection of the views, the opinions and the concerns of the people who elected us to represent them. This is something I have sincerely tried to do since the people of Simcoe East first chose me to represent them back in 1981.

As I said earlier, I support the spirit of this resolution. However, I do not think it goes quite far enough. I personally believe the processes for dealing with private members' bills requires some reform. We all know that private members' bills that do not have the active support of ministers will not go very far, even though they may have the overwhelming support of the people of Ontario or those in this elected assembly. Ministers prefer to draft their own legislation according to the cabinet's will.

It is a known fact that the current procedure for private members' bills contains an implicit veto of the government House leader. This veto need not be explained or justified to elected representatives or to their constituents. For example, my private member's Bill 37, an Act to provide for

the Licensing of Motor Boat Operators, was killed when the government members approved second reading and sent it to committee of the whole House rather than having it sent to the standing committee on resources development as I had requested. The government simply must fail to act. My private member's bill, when they failed to act on it, will now die on the order paper because the government never brings forward legislation that is sent to the committee of the whole House.

We have become so accustomed to the silent demise of private members' bills that the people of Ontario just assume it is going to happen. I believe that by broadening and passing this resolution, the people of Ontario will ultimately emerge as the winners, because they will be able to participate through their elected members more directly and fully in the province's democratic process.

That is what the new party, the Reform Party, is saying: "Our members will have freedom of choice. They will be able to go and express their opinions and the views of their constituents in the House of Commons."

To me, that is what should happen here, what should happen in all legislatures, because I believe in those people of the majority. I can say that is the reason I am still here today. I was re-elected through two difficult elections because I expressed the views of my constituents in this Legislature. I make it well known in my riding that I am available, that I will bring their views here. I have public meetings with my people, and the views that are brought to me are brought to this House.

When you look at the functions of a backbencher in some of the material we have through legislative services, it indicates that the backbenchers' duties are important, the opposition parties' duties are important. I believe this resolution, if the government would see fit to implement it, proceed with it and have public hearings on it, would be of benefit to all of us.

The problem is that cabinet ministers have legislation they want passed and members of that party must support it. The standing committee on government agencies has been reviewing appointments. We have seen a full complement of the government party there. I have not ever seen one vote against any of the government's recommendations. We have seen members come in and interview them, sit and listen, and then new members come in the next day and vote for them without even knowing what took place in that interview.

I support this resolution very strongly. It is my type of resolution. I am glad the member brought it forward. I compliment him for doing that. It allows us to have a good discussion of what a lot of us feel, but what the government members fail to do: listen to their constituents and bring those points of view here.

I remember one time in committee where about 84% of the people who came before us were opposed to what the government was doing; 84% of those delegations were opposed to it, yet the government went ahead and did it. That, I believe, is where we have gone wrong in this democracy, when we are not listening to the people and points of view of the people and expressing them and doing what the people of the province want. That is why

we are today having the problem we have in all governments with regard to the people, why they are upset and unhappy.

I support this resolution very strongly. I know my colleague who will be speaking later will be indicating his views on it. I want to thank the member for Brampton South for bringing this forward.

1020

Mr Drainville: It gives me great pleasure today to stand in this House and speak about the resolution that has been put forward by the member for Brampton South.

It says in the resolution, "That in the opinion of this House, the legislative process must be reformed to allow individual members the ability to vote for or against a measure as the majority of their electorate wishes, without it triggering a dissolution of the Legislature." Let me address that first.

I have to say there is no question in my own mind that there is a need to be more responsive to the electorate in Ontario and indeed our own constituents. To that end, I agree there needs to be great reform. We have a system of party discipline in Canada and in Ontario which is one of the most extreme in the world in how it operates. I grant there are different approaches, different reasons they have this rule, but in Westminster in London, the Mother of Parliaments, we have a situation in which members of the government can vote against a government bill and still not bring down the government if the government bill falls.

I think that understanding has to be brought here to this country. There has to be a means by which government members themselves can show they do not support a particular government measure. The reason for that is two-fold. Not only is that responsiveness to the electorate, which I think has to fundamentally undergird any decision made by this Legislature, but I think also it indicates that the cabinet, the executive council, has to ensure that when a bill is going through the House it has the support of the House, which is in itself a fundamental principle of responsible government, that the executive or the cabinet stands or falls by the will of the House. In that sense, rather than breaking down the system, it will be a reinforcing element to ensure that our democratic freedoms are maintained in this place if such a change were to take place.

As I look at this, though, I would quibble with the words. I am going to support the resolution, but I want to deal with the words. It says in the resolution, "to allow individual members the ability to vote for or against a measure as the majority of their electorate wishes." I spend a lot of time in my riding. I am there every weekend. I am going to functions, I am talking to people, I see people in my office, but at any given time I do not know what the majority of the electorate really feels on any particular bill or issue. I certainly have a sense of some people or some groups in the riding, but I cannot say I have an understanding of the majority of the electorate.

We have to be realistic here, and we have a fine line to walk. On one hand, we have to be far more responsive

than we have been to the needs and the aspirations of our constituents, and it means we have to work very hard to understand what they are saying to us and to bring those needs and concerns here to this House. On the other hand, we still have the system of party discipline. It needs to be changed, but the reality is that even with changes we have party discipline. The government is putting forth a platform and saying, "This is the direction we want to go and we're asking the people of this province to support us in that." Understanding that there is that balance, we have to decide on reforms which will be constructive and helpful to maintaining that balance. Although we need to change, we need to keep that balance.

I would like to speak about question period. I approach this issue with a great deal of trepidation, because any comment I make might be construed as a comment that would be very critical of the opposition, and I do not intend to be critical of the opposition. In fact, I intend to be critical of all members of the House, and I want that to be very clearly understood by members of the opposition who are here today.

Our question period has to change. To say this is a zoo during question period is the understatement of the year. It is not acceptable. I am ashamed at times to have constituents of mine come into this House and see the kinds of behaviour that go on in this place. I say this about members on both sides of the House; I am not accusing the opposition. When someone is up speaking in the House, very often we are incapable of hearing it.

That is in terms of the climate, and I just want to make that statement because I think it needs to be said. But in terms of the structure of Parliament and the ability in question period for the opposition to exercise its responsibilities in ensuring accountability on the part of the government, there needs to be a change in the standing rules here in the House, for instance, a time limit on the asking of questions and a time limit on the answering of questions. In asking questions, no matter who is on the other side of the House, whether it is our party in the past or the parties there now, what we see is that the preambles to questions go on and on and on, and basically they are preambles which naturally are inflammatory, because it is the opposition, whoever is there, and they are preambles that do not edify in the least and do not help the question in the least. They are made to make political points. That becomes a problem because it goes on and on and does not help in finding out the information or maintaining the accountability of the government.

In terms of the response by ministers, whoever is on this side of the House, no matter what party, the responses tend to be long, maybe even at times to talk out the clock. They tend to be convoluted and they tend very often to deflect from the issue at hand.

I am sure we cannot stop the members on either side of the House from couching their questions and responding to those questions in the particular way chosen by the people at that time, but what we can do, what is within our power, is to change the standing orders of the House to ensure that more people get up and ask questions, that there is a limit to the time taken to ask questions and a time limit to

answer those questions, therefore providing opportunity for more members of the House to get into the act. The present system, whereby the leaders of the two opposition parties take up half the clock, to me is not acceptable because there are so many members in the House who have very legitimate concerns they want to bring to this House, having to do not only with the great issues of the day but the issues that affect in minute ways their constituents and the needs and aspirations of those particular people.

What I am saying is that in question period we have to have legitimate changes.

The last point I want to bring up has to do with the standing committees of this Legislature. The present system we have does not work. It has to do with how the government brings in legislation for first reading and then after second reading, that is, agreement in principle, it goes out to committee.

The reality, as we all know—again, whoever is on this side of the House as government—is that when a bill is put forth it has received agreement in principle and the chance of changing that bill in any substantive way is impossible. It just does not happen, and we know that by history, so we need to change that system.

There are a couple of ways of changing the system. There are models out there that are worth looking at. For instance, I ask the members of the Legislature to think about the model in Quebec or the model they have in Sweden. In both cases we are looking at the bills going out at an earlier stage, at a stage when there is still some flexibility and the government is not tacking on its colours to that particular bill. It goes out into the community where hearings are held, where people are able to give their points of view, then it is brought back and it receives its formal crafting, then goes into the House to receive that agreement in principle. In my view we need to make substantive changes to the way the standing committees operate.

1030

Two other aspects about the standing committees: I believe the committees need more power. I believe the committees need the leeway to be able to make investigations and pursue the lines they believe are important. Presently the system for funding those committees is through the Board of Internal Economy. That needs to be changed. There needs to be a budget which is a lump sum, global budget, given to the committees of the Legislature and, within that framework, they need to be given the opportunity to decide their agenda and their direction. It is by doing that that we can ensure, again, that there is good input in all the legislation that is brought to this House. So we need to see those kinds of changes.

It is my pleasure to support this resolution. It is my pleasure to serve in this place, but it is my duty to represent the people of Victoria-Haliburton and to ensure that the work we do here is not only edifying to the members so that they can do the work they need to do, but that we begin to give the kind of leadership people in Ontario are expecting of us. If we begin to make these changes we will see a Legislature which not only functions well but does everyone proud.

Mr Cordiano: I am very pleased to rise and speak to the resolution brought forward by my colleague the member for Brampton South. I happen to believe, along with my colleagues who spoke on this at this time, that this is perhaps the most fundamental issue we face with respect to the House and its workings.

I believe the time has come for fundamental reforms. We had a period of reforms prior to this. We did some tinkering with the role that members would follow and pursue in this House, but I think fundamental change is required here. We need to do that in order to become more accountable, in order to become more responsive to the needs of our constituents.

There was a clear message sent in the last election. At least to me it was rather clear. What people said was that they wanted a minority government, and that was a very clear signal at door after door and I got this over and over again, and I would venture to guess that a lot of members heard that. I think it is a crying out for greater representation in this House on the part of individual members who would then be more responsive to the needs of their constituents, who would perhaps at times bring forward alternative views on a variety of issues, the great issues of the day which are rather controversial, and have been. We have dealt with a number of them over the period of time I have been a member of this Legislature. They cannot be given full expression, not when members are shackled by the constraints of partisan party politics. It is rather difficult to do without paying a supreme price here as a member.

As we are set up in the party system in this Legislature it is rather difficult to have that freedom of expression, as I say, without the consequences that go along with it, not because you are going to lose your seat and not because you are going to be ousted from your party, but oftentimes you will be an outcast. You will be on the fringes, and I do not think that is the price members should have to pay for disagreeing with the party line. On the contrary, I think we have to reward the kind of independence and individuality and creativity that all of us can bring to this Legislature, that all of us can offer in terms of crafting legislation and bringing forward alternative views, better views perhaps, that would bring about better legislation.

I want to deal with a number of issues which were brought up by previous speakers. I think standing committees are the route by which members can be empowered. The standing committees of the Legislature must be given that independence that the previous speaker, my colleague the member for Victoria-Haliburton, spoke so well about. Standing committees ought to be given free rein with respect to financial setup. The budgeting of those committees must be given consideration on an independent level or on an independent format. Allowing committees to set their own agendas and have the funds to do it with would allow them the freedom and flexibility that is required to make this place more effective.

In addition to that, standing committees being able to deal with legislation before it is brought to second reading is a good thing and an essential thing if we are going to bring about the necessary reforms we are talking to here today.

With respect to the whipping that takes place in each of our parties, I think the British model is something we should look to. As my colleague the member for Brampton South, who brought this resolution forward, mentioned earlier, we should set up a select committee to look into these matters further. It requires further study. None of us here today would suggest that we have all the answers on the way in which this could work most effectively. By working together, all members on a select committee would be given the opportunity to examine the best alternative in the end that would make sense.

But this must be a non-partisan approach that we must take in order to bring about these fundamental reforms. Nothing is going to happen with respect to balance, which the previous speaker, the member for Victoria-Haliburton, spoke about. The scales are tipped right now in favour of the cabinet, in favour of the executive branch of the Legislature. It is inevitable that the executive branch will exercise its authority. It has to in order to function in the way we are set up in this House. But we have to separate, to a greater extent than we have currently, the executive branch from the legislative branch. That is essentially what we are talking about here today. We do not have that separation. We do not have that arm's-length approach that is required. The balance is not there; it is far from it.

The previous speaker spoke to decorum and the antics, the charades perhaps, that take place in question period. I would agree that the decorum of the House is important because we are watched on a daily basis by the public. I think we should be a model for other public institutions that carry on public business. That certainly has not been the case in this House, but members must remember this is a highly charged political place with radically different views on either side of the House. All three parties have different views. We see that now; we see there are perhaps three divergent opinions on a number of issues. I do not think that is going to change. I think people bring to this place their heartfelt principles and deal with those in a very partisan way. I do not have a problem with that.

The way people comport themselves in this House is another story. I think it behooves all of us to deal with that on an individual, personal basis, but with respect to this resolution that is a side issue, quite frankly. It is important to deal with time limitations on members, for all members to have an opportunity to ask questions. I agree with that.

I am running out of time and I would like to give my colleague his due so I am going to sit down. But this, I believe, is of fundamental importance and I call on all members to support this resolution and to move forward with it and to encourage those of our party colleagues who perhaps have the reins of power to deal with this resolution and bring it to their caucuses.

1040

Mr Arnott: I am very pleased to rise today to speak to private member's notice of motion 18, sponsored by the member for Brampton South:

"That, in the opinion of this House, the legislative process must be reformed to allow individual members the ability to vote for or against a measure as the majority of

their electorate wishes, without it triggering a dissolution of the Legislature." Then it goes on.

I would like to compliment the member for Brampton South for this initiative. I have tried to capture something of the same line of thought within my own private member's ballot item, Bill 111, An Act to amend the Legislative Assembly Act. I will briefly speak about what mine will do when it comes for second reading.

I hope to amend the oath of office members of the Legislature take so that right in the wording of the oath it will be that we represent our constituents to the best of our ability within the confines of our conscience. That is a very important measure we must take in this Legislature and indeed all the legislatures and in the House of Commons. I think it has been lacking. As has been said by other speakers in this debate, the executive branch does have too much power. Our system is set up such that the parties' leadership can dictate to a large extent how all of us act and comport ourselves.

I think all of us come here initially with a great deal of ambition to represent our people. All of us attempt to do that. I certainly have tried as best I can to voice the views of my constituents in this House and in caucus. I came here, and probably others might feel this way as well, with some measure of naïveté about how the process works. There are times when forces restrict our ability to speak publicly on behalf of our constituents in spite of our best efforts.

We all have the freedom to speak freely in caucus. I hope the other two caucuses are as lively and spirited as ours. There is a lot of passion in our caucus when members try to bring forward the views of their constituents and that is very important, but the public does not see that and the public has to see what is going on. If we can get that sort of exchange going in the public's eye, they would have a lot more respect for the process, for the structures of government and for the members of the Legislature themselves.

So I think it is absolutely imperative that all three parties support this initiative today, because we have to send a message to the executive branch of all governments that the private members need more power to speak in favour of their constituents without that sort of restrictive framework.

I was heartened to see in the last federal government throne speech of a few weeks ago some lipservice to the fact that all members of the House of Commons would be given more ability to speak on behalf of their constituents, more ability to vote the way their constituents wish. I wish I could say I am confident that is going to occur in the federal House, because I do not think it is. Given the things that have happened in Ottawa in the last little while, I have been very disappointed with a lot of the initiatives coming forward there and I just cannot see it. But we in our own place have an opportunity to try and push for this and I hope that all members do.

I am disappointed that the media is substantially not here on private members' hour, because I think a lot of views come forward. If some of the things that happen

here were reported more, the public's perception of and respect for this place would be enhanced considerably.

When I was first elected to come here and the Leader of the Opposition, the member for Brant-Haldimand, gave a very eloquent response to the speech from the throne back last fall and there was no media here, I was surprised. They left after question period and I was stunned by that, because I was sitting here listening to the Leader of the Opposition, the member who has been here for 29 years, I guess it is, and the respect that I have for him and the enjoyment that his speech gave me, and the media was not here. I find that shocking and I do not quite understand it.

I think the media tends to distort some of the things we do here. If a member does speak against his own party or his own party leader, the media explodes it as a sign of weakness in the party and it is not the case. The media has a big role to play in changing this perception.

The member for Lawrence talked about the call in the last election for a minority government. I heard that constantly at the door and I think that was one of the reasons some people supported me, because they did not want a majority government and they wanted an opposition member to be sent from Wellington.

As it turned out, we did not get the government we all thought we were going to get. We did not get a minority government either. We have not got a minority government in Ottawa. In spite of the fact that 39% of the Ontario public voted for the NDP, we have a majority NDP government, and in Ottawa we have a majority federal government, a Conservative government naturally, and it did not get a plurality of the popular vote in total.

So I think there is a lot of room for this sort of initiative and I want to once again compliment the member for Brampton South for this and urge all members of the House to support it.

Mr Mills: It is a pleasure to rise here this morning and speak to the resolution of the member for Brampton South. I know that he speaks passionately on this issue. I am just wondering why he was not so passionate about the issue when his party formed the government with such a massive majority that they could have done something about this.

I find interesting the comments from the third party members who support it. I would just like to remind the member for Simcoe East, whom I respect a very great deal, that when he says he is quick to speak out for his constituents, I think most of us here are, in one form or another. I suspect that when the honourable member for Simcoe East was a member of the Conservative government, in those days he was marching to the tune of a different drummer.

I mailed out 50,000 questionnaires to my constituency just recently, asking their opinion and what they thought about the current situation. I must say that the answers about how I could represent them best were just unbelievable. They covered the whole spectrum of reducing taxes and making beer cheaper and making cigarettes cheaper. If we are trying to represent our constituencies here on that sort of a basis, I think it is rather impossible. I think we

have to go along with the basis of why we were elected and the party that was elected.

Everybody out there knows the philosophy of the party we belong to, and they know the position we take on a number of issues. I think when they cast their ballot they are fully aware of what the people and the party represent. To say that you come here to change the point of view of the government of the day I do not think is practical and I do not think it is possible. It is enough just on Thursdays when we have private members' bills, the variety of the bills that come up. If that were the process in this House, we would have so many ideas and thoughts before this House that I doubt very much we would get anything done at all.

As for taking up issues for constituents, I think there is a good forum here for taking up the positions of constituents, and I do it constantly. I go to the minister involved and lobby him; I go to the departments and speak very forcibly for my constituents. I think the answers that get back and the things that we do in the government for our constituents are not necessarily public knowledge, only to those people who are here who know about them.

As far as being here in the government, I think we are here to represent the policies of the government that we were elected to pursue, and I am very pleased to be able to do that.

I support the spirit of the resolution to a degree, but I am afraid I cannot support it based on the fact that I think people know and expect people to respect the party and the philosophy of that party they elected.

1050

Mr Henderson: This is an outrageous debate. It is outrageous because we should not need to be having it.

Four and a half years ago, this Legislature almost unanimously adopted a resolution of mine which urged that private members should vote more freely in this House, because government does not become unworkable and the legislative process does not grind to a halt when private members really do debate and decide on matters of public policy.

It is now four and a half years since this Legislature almost unanimously asked the standing committee on the Legislative Assembly to change the way we operate and to report back to the House about ways of achieving significant changes. What is shocking is that four and a half years after this Legislature almost unanimously and very clearly expressed its views on the subject, we are here today voting and debating on very much the same matter. That somehow proves the point. If proof is needed of the need for legislative process reform, the very fact that we are here today doing it all over again shows that something is seriously amiss.

I know that voices are occasionally raised in opposition to reformist views. There are those who argue that responsible government in the British parliamentary tradition depends on caucus unanimity. Those voices argue that our legislative process will fail and government will become unworkable if authorities cannot command the loyalty of elected members.

Analogous arguments may have been made, I suspect, against the Magna Carta and probably against the very conception of democracy thousands of years ago. But what kind of democracy argues against legislators' freedom to speak and vote? What kind of democracy do we have if elected representatives of the people do not have the prerogative to balance the views of their constituents against personal conscience and against the position of a party in their legislative role? What kind of democracy and what kind of leadership do we have if a party leader has to order his caucus to follow his or her lead? A few members will recall Bill 94, the extra billing debate, when I shocked and upset some of my caucus colleagues by arguing for a middle ground and by speaking—although, incidentally, not by voting—at variance with the official caucus view.

I went to Montreal for some advice back then and I spent three quarters of an hour with Pierre Trudeau in his office, agonizing about what I should do in that, for me, very difficult situation. Trudeau's observations were crystal clear. In fact, I think he hardly even saw an issue. He told me that as an elected representative I should follow the dictates of my conscience, and that was that. I told him of my concern for the reaction in my party and he dismissed that with a wave of his hand and a simple observation that the party would sooner or later respect me for what I was doing. His advice was so very different from what I was hearing around Queen's Park from all but a very few of my legislative colleagues that I asked him whether he would have given me the same advice were I a member of a caucus of which he was the current leader. He replied without a moment's hesitation that he would, and he listed a dozen examples of individuals who had voted independently during his leadership. Then he added a substantial list of them that he had subsequently appointed to cabinet.

For me, Trudeau's attitude was the attitude of a true political leader and statesman. That is the kind of leadership that attracts support and does not need to command it. That is the kind of leadership that we should be endeavouring to enshrine in our reform of the legislative process. I wish I could ask Pierre Trudeau now what kinds of reforms, in his view, would bring Canadian legislative practice in line with those clear and unequivocal views that he expressed in 1987.

It should not depend on the whim of a particular leader to allow the members of a caucus to state their point of view. That is what we are elected for; that is just the way it ought to be. While I am shocked at the necessity to have this debate again today, I am also delighted that we are doing it, for reform has come of age in Ontario and Canadian politics. In 1987 I was regarded as, at best, a maverick, for the views that I uttered on behalf of private members' speaking and voting freedom, let alone for doing it. Somehow in 1991, the worm has turned and we are all talking about reform of legislative process in Canada.

Let's go back to the drawing board and decide what really makes sense in a Canadian context. Let's ensure that representative democracy really is representative democracy. Let's remind ourselves of the travesty of democratic process when apparent unanimity is based on enforced

groupthink. Let us remind ourselves that legislators doing as they are told are not involved in democratic government. Let us remind ourselves that discipline that does not respect rational evaluation and discussion of alternatives in our assembly is not discipline at all in a democracy, and that agreement is not agreement if not freely given.

Let us remind ourselves that reasoned voices of constructive dissent are a matter for caucus pride, not a matter for embarrassment. Very clearly, governments do not fall and legislatures do not become unworkable when the executive bows to the wishes of the House on a wide variety of legislative matters and under a wide variety of circumstances.

We must restore the autonomy and authority of private members. If I have any criticism of this resolution, it would be that it does not go far enough. In my opinion, there is much more that we should do. We should expand the authority and freedom of committees, tenure their members, much reduce the influence of party whips in committees and ensure that voices of real democracy are brought to bear on committee work.

We should look very carefully at my own Bill 21, An Act to establish a Committee respecting the Direct Election of the Premier. That bill proposes consideration of a fixed term of office, general elections at specified intervals and freedom of electors to vote for a personal representative as well as for a leader of a government.

I invite my legislative colleagues to join with me in reaffirming our commitment to representative democracy and to show that free speech lives and thrives with Ontario legislators of all three parties.

Mr Callahan: I want to thank members of the Legislature for speaking as they have. I would like to indicate to the member for Durham East, who is a good friend, that we can see the passion—that both of the gentlemen who spoke on my bill were very much involved in trying to reform this process, as were many members of our caucus. This is not something that has just arisen since the members opposite came into government.

I can tell them that Bill 111, which the member for Wellington brings and which would require us, in our oath, to represent the constituents in our riding to the best of our ability and the best of our conscience, should hardly be required. If as we start the legislative day in this chamber each occasion that the House is sitting, if truly when we are speaking the opening prayer we know what we are saying and we believe what we are saying, there is no need for Bill 111. In fact, we are sworn by this to do it. I would like to read it to you because I think it is something that each and every member should reflect on:

"Give to each member of this Legislature a strong and abiding sense of the great responsibilities laid upon us. Guide us here in our deliberations. Give us a deep and thorough understanding of the needs of the people we serve. Help us to use power wisely and well. Inspire us to decisions which establish and maintain a land of prosperity and righteousness where freedom prevails and where justice rules. Amen."

If we truly believe those words and if we wish to maintain democracy and represent our electorate in the fashion that they have given us by way of trust—if these words

mean something—I suggest there should be a unanimous decision to support this motion. In fact, the government should take the opportunity to either put a select committee in place or at least have a full day or two of debate in this House on the question of reform.

1100

HIGHWAY TRAFFIC AMENDMENT ACT, 1991 LOI DE 1991 MODIFIANT LE CODE DE LA ROUTE

Mrs Cunningham moved second reading of Bill 124, An Act to amend the Highway Traffic Act.

M^{me} Cunningham propose la deuxième lecture du projet de loi 124, Loi portant modification du Code de la route.

Mrs Cunningham: Naturally I am very supportive of the legislation that we find necessary to present before this House today. I very much appreciate the members being present and the interest they have shown over the last few weeks and months with regard to legislation that will make it mandatory for people to wear helmets when they are riding bicycles.

This bill is a very simple amendment to the Highway Traffic Act and adds the word "bicycle." What we are saying to people is, "You are now wearing helmets when you are riding on our highways on motorized vehicles such as motorbikes and motorcycles, and now, although education has been important, it has come to our attention that the statistics are so significant with regard to injuries, especially head injuries, that we are presenting this motion today."

I would like to begin by thanking the members of the Ontario Head Injury Association who are visiting today in the members' gallery, with special attention to Debbie Kerslake who is in the Speaker's gallery. I would like to also thank Dr Brian Morris, a physician from Barrie and a member of the Coalition for Head Injury Prevention in Barrie, and Laura Spence and Dr David Wesson, both from the Hospital for Sick Children and members of the Kiwanis injury prevention and research program, as well as Sarah Hood, who has given information to us from the Toronto City Cycling Committee, Chris Anerchek from the Ontario Nurses' Association, and Richard Greco for the Head Injury Association of Toronto. All of these people have not only assisted me in my work over the last few years but, of course, have assisted the citizens of Ontario and especially children when it comes to the prevention of serious injury due to the fact that people are not wearing bicycle helmets.

As we know, the riding of bicycles in urban Canada is increasingly popular with regard to sport, leisure and transportation. It happens to be Canada's favourite summer recreation and the second most popular year-round activity. Regrettably, the trend has been accompanied by a dramatic increase in the number of bicycle-related injuries, particularly among children and adults, and for this reason we are presenting my private member's Bill 124, An Act to amend the Highway Traffic Act.

Each year in Canada, more than 5,000 children will be seriously injured and more than 60 children will die in bicycle accidents, most from head injuries. Bicyclists with

helmets have an 85% reduction in the risk of a head injury and an 88% reduction in the risk of a brain injury. Although 93% of children six to 16 years old ride a bicycle, only 2% to 3% wear helmets. The Canadian Paediatric Society strongly endorses wearing a helmet while cycling.

In spite of all of this, a study at Children's Hospital of Eastern Ontario in 1988 found that even after an accident, few children wear them. Of 517 children admitted to emergency that summer following a bicycle accident, approximately 100 had head injuries and were admitted to the hospital. As a parent, I was shocked to learn that of the 517 youngsters only 13% owned helmets but, even more shocking, only 2.5% wore them.

A bicycle helmet, as we all know—it has been proven—is the most important single piece of equipment for reducing the incidence of serious head injury. Physicians, health care workers and family members are too familiar with the immediate and long-term effects of head injuries. Apart from the tragedy of death, many victims who survive with brain injuries also suffer from physical disabilities, seizures, intellectual and memory impairment and personality changes. Their lives and those of their families are changed for ever.

Physicians, the Ontario Head Injury Association and the Ministry of Transportation all want to heighten the public awareness of the benefits of wearing an approved safety helmet when riding a bicycle. I commend all of them for their present and past bicycle safety campaigns. We know they must continue, with or without legislation. The most important prevention of injury is the tool of education.

The Minister of Transportation has recently announced public meetings to give motorists, cyclists and pedestrians a chance to express their comments on the ministry's current bicycle policy review. It begins today in Ottawa. I thought, "How timely." I am certain the minister will seriously consider the public's recommendations. I should also say they will be meeting in London and other cities throughout the summer, and I urge the members of this Legislative Assembly and people listening to us today to find out exactly when those hearings will take place. It takes all of us working together to make good legislation and good rules in this province for our citizens.

There is another young man we are all indebted to, a head-injured young man—by the way, when he was only 10 years old, riding his own bicycle. He could not come today, he is so busy helping out. His name is Jeremy Rempel, and just yesterday he was in St Catharines to support Project Headgear. The official opening was in St Catharines, and it was the Niagara launch. I am sure it will be happening all over Ontario. The two goals are, first, to promote awareness of the dangers of riding a bicycle without a helmet and, second, to promote the wearing of helmets.

At this time, as a person who is always speaking against legislation that permeates our lives as citizens, I find myself, given the statistics I have just introduced to this debate today, saying we have to go a step further. An example of preventive medicine, I would think, is to support our private member's bill today. A bike helmet cannot keep someone from falling off a bike, but it can prevent

the majority of head injuries. We know how much seatbelts have helped us deter injuries and deaths. Also, our role models for our young children are football and hockey players, police and construction workers, who all think it important to keep their heads safe.

As a matter of fact, here in Toronto the city police have a force of cyclists, as we do in London, Ontario. I thought it would be important to show the House today some pictures of the helmets being worn by 12 members of the city police in London, of which I and my colleague sitting across from me, the member for London South, are very proud. We like being from a city that shows leadership, and here we are today once again. After a conversation with the chief of police, Mr Shipley, he said he would not even consider putting officers on the street without a helmet. We have made a lot of progress in the last two or three years with respect to the acceptance of this piece of legislation, I am sure.

I would like to tell parents it is important that they not only encourage their children to wear helmets but that they show them how to wear them. I would also like to let my colleagues know there are approximately seven companies that manufacture CSA approved helmets in various sizes. In fact, Leader helmets, manufactured in Montreal, have standards which are apparently higher than the CSA standard. So we have lots of choices. I can go into detail about that afterwards if the members so request.

In Hamilton, the Earl Kitchener Parent-Teacher Association just last week ran a special program so that helmets could be made affordable to the students in that school. I think that is good leadership in our province. In fact, they have a special program so the students can buy them very inexpensively, and some will receive them for nothing.

Also, Sandoz Triaminic is sponsoring a special offer to encourage the wearing of bicycle helmets. If members have an opportunity to read this pamphlet, we would all appreciate it. Family doctors and paediatricians have distributed some 23,000 of these brochures. We have to say hats off to people who are involved in family medicine in the prevention of head injury, because they have done a wonderful job. There is a toll-free number here. Yesterday I was informed by Dr Morris that over 4,000 helmets have been ordered in the first three weeks of this campaign. I think that is good news for our province.

I am very aware of the problems with enforcement. If I am given more time today during this speech, I will talk about the enforcement practices in Australia and in the state of New Jersey. I understand that the reason for asking this to be referred to committee is so that we can come up with some good ideas and practicable ones around the idea of enforcement.

1110

Mr Wessinger: I am very pleased to be able to speak in support of this legislation. First, I would like to acknowledge Dr Brian Morris, who is a constituent of mine and who also happens to be my family doctor, for making me aware of the extent of this problem with respect to head injuries. Also, I would like to acknowledge the assistance of

the local head injury association in making me aware of the extent of this problem.

Accidents are the leading cause of loss of life before the age of 65 in our society. This statistic is from the US National Centers for Health. In the past, we have taken legislative steps to prevent injuries in the accident area. We have seatbelt legislation, we have child-proof medicine containers, we have bars or restraints on upper-storey windows and we have the requirement for wearing helmets while riding motorized vehicles. This legislation adds the bicycle helmet use to legislative requirements.

Head injuries account for over 60 deaths per year and over 5,000 children seriously injured. In terms of percentage, 14% of all children's injury deaths are attributable to bicycle accidents. That is a high percentage, so we must address this problem.

And look at the human cost of head injuries: first, the loss of life and, second, the loss of quality of life for individuals suffering head injuries and the effect on their families. There is no effective treatment for brain-damage injuries. From a preventive health care position, it is very important that we do everything we can to prevent these types of injuries, for the individuals involved and their families and, second, for the effect on the health care system.

In my community, Dr Morris has worked very extensively to promote the use of bicycle helmets. He promoted an educational campaign in the school system on a pilot basis to encourage the use of helmets. What he found from that experiment is that education alone is not enough to promote the use of helmets. That is why he came to the conclusion that we need legislative action in this area, and I support him in that position.

He also indicated that he did a recent survey in the community which is somewhat encouraging with respect to the use of bicycle helmets. Looking at the use of helmets by schoolchildren, in the spring of 1990, 5% of children were using helmets; in the fall of 1990 it had gone up to 7%; and the recent survey he did showed an increase of 17.8% in the use of helmets by schoolchildren. I think that is very commendable, to show what can be done when an effort is made to promote the use of helmets.

Therefore, I would ask that the House support this legislation and send it to the standing committee on resources development. I would also suggest that we need public education programs to go along with this legislation. Also, I think we have to look at the question of encouragement or incentives with respect to the purchase of helmets.

Mr Mancini: I have a great deal of difficulty in dealing with this particular private member's legislation. My difficulty stems from the fact that in principle it is good legislation in that it creates a public policy whereby we protect a large segment of our population. The difficulty I have with the legislation is that while it creates this public policy, it does not assist the general public in acquiring the protective gear that is going to be mandated by law.

As my colleague said earlier, we have passed innumerable pieces of legislation which are for the public good, which help protect the public from physical injuries. I believe he mentioned seatbelt legislation and the mandatory wearing of helmets for people who ride motorcycles.

Automobile companies today have moved not only from seatbelts but to air bags. This has been a slow process, and the reason the process has been slow, rightly or wrongly, is the cost involved. The cost of an air bag is substantial. Most vehicles have air bags on the driver's side only. You have to get into the luxury vehicles or expensive vehicles before you get air bags for the driver and the passenger. Many injuries are caused because air bags are not in all vehicles, yet we do not see the mandatory legislation that is necessary to have these air bags put throughout the vehicle, which would prevent innumerable injuries. The reason we do not see it is because of the cost. Excessive cost would affect the sales of the automobiles, which would affect jobs in that particular industry.

I say this not in any way to diminish the very good work that has been done by the member for London North or in any way diminish the needs that she so eloquently described earlier today. I bring this out in order that we may face the situation and all of its circumstances. All of the statistics that my two honourable colleagues before me spoke of are true. They have been documented by individuals expert in their field. They have been documented in journals which we can find in our libraries. As a matter of fact, in short order I was able to receive innumerable pieces of information which would clearly document for all to see the benefits of helmets worn by cyclists if cyclists decided to wear them.

We could obtain the same documentation, as I said, in regard to automobile traffic and air bags. I am not fundamentally opposed to the legislation. I think the legislation should go to committee. It should be discussed and the problems surrounding the legislation should be resolved. Only yesterday I received a phone call from an individual who said he has four small children in his family and all of them have bikes but he cannot afford the \$40 each that it costs to have helmets. That is a personal decision being made by the family. I believe, and I think all members would agree with me, that there are probably thousands of families who cannot afford helmets. They cannot afford it. Just as many families cannot afford to buy winter coats for their children but the province assists those particular families, are we going to extend public policy to assist these families in buying helmets? If we are, I want to know how much it will cost and how we will fund it and how that squares with a lot of the things we have heard in the Legislature in this past session about restraining government expenditures.

My other concern is the enforcement of this particular public policy. I, like you, Mr Speaker, represent a constituency where there are a number of police departments because of the nature of the constituency, because the constituency is made up of numerous municipalities. The police chiefs of this province have commonly told me over the last period of time and I am sure have commonly told members from all sides of this House that they cannot carry out the services that are being required of them by their citizens because of budget restraints. We know how police chiefs and local municipal leaders felt towards providing security in courtrooms. They have told us this has

placed a great burden on their budgets and how they can operate.

1120

We are now going to place on them, I am assuming, another burden because there is no sense in having this particular public policy become law unless it is going to be enforced. I would like to know from the member who has proposed the legislation whether or not we are going to make the funds available for the police chiefs and their departments and the municipalities so that they can enforce the law. Then I would like to know what it will cost, how it will be funded and how that squares with the difficulties we face today regarding the enormous budget deficit that was presented to the House only a few short weeks ago.

I might add that I understand a very large group of people, maybe into the thousands, will be in front of the Legislature later today demanding of the government, and I am assuming demanding of all members of the Legislature, that we be careful with our expenditures. So I would assume that if we are going to increase spending in one area we are going to have to decrease spending or raise taxes. I would like to know what decreases are being proposed and where. If tax increases are necessary, I would like to know on what and how much.

Once that problem is resolved, if we get to that point, I would like to know how police departments are going to deal with the young people, particularly under 14 years of age, because those young people very rarely have summer jobs that allow them to make any kind of income at all, if they are caught in violation of this public policy. Are they going to be ticketed? Are they going to be personally taken home by the police? Are they going to be expected to appear in court if they do not wish to plead guilty or cannot afford to pay the fine?

These are all questions of a practical nature which arise from the reality of such a public policy. While I have to say that the intent is admirable and its full implementation would in fact alleviate many of the terrible things that some members of the Legislature have described, the reality of the situation is that this public policy, along with all other public policy that we debate and bring forward in the House, must be affordable and workable.

Just to bring up another point, there are innumerable groups across the province of Ontario who have lobbied individual members and school boards to have mandatory seatbelts on school buses. As far as I know, there is no public policy enforcing such a rule. I am sure that such a public policy would save lives and reduce injuries. But there is a reason why that public policy has not been passed through this Legislature or adopted by school boards across the province. The reason is the cost involved and the demand for other services within the school system and from the provincial government.

Regretfully, I am going to vote against this piece of legislation, but I intend to keep an open mind when it is referred to committee.

Mr White: You said there was a reason. What is it?

Mr Mancini: I have outlined the reasons in great detail, if the honourable member had only listened.

The Deputy Speaker: Please address the Chair.

Mr Mancini: I will await the answers to all of the questions that I posed this morning. Particularly I will await the answers from the honourable member for Durham Centre. He is so concerned and appears to have all the answers. When we go to committee, I will await his specific answers on these matters, and then I will await the appropriate government ministers, because we will need money from several ministers to make this work.

I am sure that with all of the influence the honourable member for Durham Centre has been able to muster over his few short months here as a new member he will be able to, through the Management Board of Cabinet and through the full cabinet itself, resolve all the practical problems and funding problems that exist around this public policy.

If we are going to be honest to the people who want such legislation passed, then it is incumbent upon us to show these individuals—and I believe they number in the thousands, maybe tens of thousands—how the government of the day is going to make such a public policy work, work well, and meet the needs described by members earlier.

Mr McLean: I appreciate having this opportunity to make a few brief comments on private member's Bill 124, An Act to amend the Highway Traffic Act, which would require bicyclists to wear helmets.

I want to compliment my colleague the member for London North for her attempt, and I hope success, to amend subsection 88(1) of the Highway Traffic Act, which, if passed, would read, "No person shall ride on or operate a motorcycle, motor-assisted bicycle or bicycle on a highway unless he or she is wearing a helmet that complies with the regulations and the chin strap of the helmet is securely fastened under the chin."

This legislation was previously brought in some time ago by the same member, and I am pleased to see her bringing it back in today. I believe the member for London North has put a great deal of thought and consideration into this piece of legislation. In fact, it is my understanding that she has the support of the Ontario Head Injury Association, the Bicycle Helmet Coalition, the Hospital for Sick Children and Kiwanis Injury Prevention and Research Program, and the Coalition for Head Injury Prevention, to name but a few distinguished groups.

I think the statistics contained in a brochure published by the Ontario Head Injury Association should make all of us in this Legislature sit up and take notice of the importance of this bill. According to the association, a child is four times more likely to be seriously injured in a bicycle accident than to be kidnapped by a stranger. Bicyclists wearing helmets have an 85% reduction in the risk of a head injury and an 88% reduction in the risk of a brain injury.

More than 80% of accidents causing injuries to children occur less than five blocks from home, and more than 50% of injured children receive no specific safety instructions about bicycling. Seventy-five per cent of all cyclist deaths involve head injuries. That is quite a percentage; a

very large number. Ninety-three per cent of children aged six to 16 years ride a bicycle, but only 2% or 3% wear helmets.

It is a known fact that annually in Canada more than 5,000 children are seriously injured and 60 children die in bicycle accidents, most from head injuries. I realize there is no way to predict when an accident will happen, but we can prepare for one. Falls from bicycles can happen anywhere and at any time so it is important to wear a helmet anywhere and at all times, even if it is just in the driveway or just down the street.

1130

We can prepare for accidents by giving private member's Bill 124, An Act to amend the Highway Traffic Act, second reading, and perhaps refer it to the standing committee on resources development or whichever committee is deemed appropriate for fine-tuning.

When this legislation was brought in before, there were reservations because of the mandatory aspect. Issues were brought up by the member for Essex South this morning with regard to people who cannot afford helmets. I have come to the conclusion that we cannot afford not to have helmets nor to assist people to have them.

I know the old railway line that runs from Orillia. Dr Josiah Lawry in Orillia showed some very strong leadership to have this old abandoned railway become a bicycle path or a path for walking which cyclists could use—a super idea. I think we will see more of this take place across the province.

My wife and I have bicycles. I have not had a helmet, but I am not taking my bicycle out until I get one. The other day I could not find one in the city of Orillia; they had been sold out. So the need is there and I think the people are saying, "Yes, we realize it's time to make this mandatory."

Members should not forget we went through the seatbelt legislation. Nobody wanted to wear seatbelts—"We don't have to wear seatbelts"—but statistics proved that great need was there. I never get in my car now without automatically putting my seatbelt on, and I think most people do that. I think bicycle helmets are the same. But it is just as important that helmets be worn in motorized vehicles and all-terrain vehicles, as well as by motorcyclists.

When we talk about prevention, that is number one: prevent the injuries and the costs of these head injuries I gave statistics about. What has it cost us in medical expenses over the years? We could buy every child in the province a helmet for what we spend today on the lives of these people who are injured. We cannot afford not to assist them.

I want to compliment the member for bringing this legislation forth and I plead with members to have this sent to committee so we can deal with it there. If they do not like it the way it is, let's change it, but let's put it in place so we can have this legislation approved by this Legislature. Do not think that because it is an opposition bill it is not right. It is right, it is proper, it is appropriate and the time to do it is now.

Mr Lessard: I want to tell the member for London North what a good idea I think this private member's bill is. In fact, I thought it was such a good idea that I was going to steal it and use it myself. However, she beat me to it and I am happy she did, especially now when summer is upon us and there are going to be a lot of people out on their bicycles in the coming weeks and months.

Just to give the House a bit of my background, before coming here I was a member of the Windsor Bicycle Club, a member of the Ontario Cycling Association and also the chairperson of the cycling committee at the city of Windsor. In fact, before the unexpected—for a lot of people—events took place on 6 September, I had committed myself to advancing the interests of cyclists. That was going to be what I planned to do in the future, but those plans took a bit of a turn. Now I find that I have an even better opportunity to advance those interests and I am thankful for being given that opportunity here today.

When I was speaking to various individuals and groups involved in cycling, including the Toronto city cycling committee, the Toronto Bicycling Network, the Hospital for Sick Children, the Metro Toronto Safety League and the Ontario Cycling Association, one thing I did find was that there was strong agreement with respect to the fact that cyclists should be encouraged to wear helmets while they are cycling. There is just no doubt about that. The reasons have been advanced here this morning by other members. Quite simply and succinctly, it is based on the statistics. In Ontario, there are at least 15 children who die as a result of cycling accidents every year and there are 150 children who end up in hospital with serious head injuries. Much of this death and injury would be avoided if only there were an investment of about \$30 in a helmet that meets the Canadian Standards Association's approval.

There are various ways to encourage cyclists to wear helmets while they are cycling. Of course, we are debating one of the ways this morning, that is, to pass a law making it mandatory for cyclists to wear helmets when they are cycling. There are also other ways this could be done, because as many will admit, and I am sure the member for Essex South would agree, mandatory helmet laws are not always the most popular way to get people to comply with government policy.

Other ways could involve a sales tax rebate or some other type of tax rebate to encourage people to purchase helmets. Another way is that helmets be mandatory accessories at the time a bicycle is purchased. An issue which needs to be addressed as well is ensuring there is an available supply of helmets in the event that a law is passed, because if a law were passed there would, of course, suddenly be a tremendous demand for helmets. Perhaps the implementation of such legislation should be given a long time period to ensure there is that availability.

The issue of law enforcement also has to be taken into consideration. Perhaps there is some room for innovation there as well, and this is something I would encourage the Attorney General to look into: a means to enable people who were caught not wearing helmets to avoid paying a fine if they were to provide proof of the purchase of a helmet within a certain time period, perhaps 48 hours or

something like that. It needs to be recognized that if fines were imposed for not wearing a helmet this would not be a means of gaining income for the government; the aim of this type of legislation is to encourage people to wear helmets when they are riding their bicycles, and it is simply that.

One of the most important ways of encouraging people to wear helmets while they are riding bicycles is through education. It should be a requirement in the educational system, part of the curriculum, to teach cyclists responsible riding skills and also to point out to them the benefits of wearing a helmet when they are riding. It also could involve promotion by the Ministry of Transportation, and I would suggest that should also include the Ministry of Health, because this is not strictly an issue involving the Ministry of Transportation—it is a health concern. The member for Essex South went on at length about the costs that might be incurred by the government to implement mandatory helmet programs, but I would ask him to consider the costs that are incurred for health care by persons who are seriously injured as a result of not wearing helmets. That is something we need to consider. Promotional activities could also be co-ordinated with various retailers.

Of course, what we are doing here today is to educate and encourage people about the importance of wearing a helmet while they are cycling. In that regard, I just want to provide a little demonstration. I would like Hansard to show that I am holding in my hand a hard-shelled plastic helmet. It is an Ansi helmet or a Snell-approved helmet. It is important that a helmet like this is worn properly when riding a bicycle, firmly on top of the head with the chin strap attached underneath fairly snugly so that you can only put a few fingers underneath that chin strap. It is also important that it be down low enough on the forehead so that in the event you go over the handlebars, you would not get an injury to the forehead when you went down.

I think it is important for cyclists to know that when out on their bicycle anything can happen. I can tell members about a personal experience that happened to me. When I was riding my bicycle one day with my wife, I happened to be assaulted.

An hon member: By your wife?

Mr Lessard: Not by my wife. I was assaulted by an inconsiderate motorist who actually ended up spending 20 days in jail as a result, but I did fall on my head. Luckily, I was wearing a helmet and was prevented from injury.

My message to cyclists is that anything can happen. You really need to be prepared out there, and I urge all cyclists to buy a helmet and wear it when they are cycling.

1140

Mr Arnott: I am pleased to again rise today to speak to second reading of Bill 124, An Act to amend the Highway Traffic Act, sponsored by my colleague the member for London North. The intent of this bill is to make the wearing of helmets mandatory by bicyclists on our streets and highways.

I concur with many of the points that have been raised so far in this debate, but I would like to broaden it somewhat and talk about the whole issue of transportation

safety. As our party's Transportation critic, I have a great deal of concern that the provincial government could be doing more to promote the cause of transportation safety.

We have to reduce the number of fatalities and accidents on our roads and highways. This bill takes one step towards that end. I am somewhat surprised. When a private member's bill comes forward to this Legislature, generally we have comments from the parliamentary assistant to the Minister of Transportation, the member for Windsor-Sandwich. I have not heard his comments yet, and I am not sure whether he is going to make comments, but generally he reads a speech that has been prepared for him that gives some measure of indication of what the ministry's position is going to be. Frankly, we have not seen that today and I am perplexed. I do not know what the ministry's position is on this.

Something I raised in the House a little while ago that I think pertains to this is that the ministry could provide more incentive towards transportation. The Insurance Bureau of Canada is often involved in the promotion of safety. Quite recently, they committed \$100,000 towards radio ads in a campaign towards reducing accidents, a slow-down-and-survive campaign. The ministry contributed \$6,000 towards the publication of some brochures; that was, in a way, an endorsement of the campaign and lent it some credibility. But the ministry commitment was very minimal: \$6,000 as opposed to \$100,000 being put forward by one of the major interest groups who have a considerable interest in transportation safety.

It has come to my attention fairly recently that in a meeting with the Minister of Transportation the insurance bureau indicated its commitment towards another promotional campaign, once again towards the end of increasing highway safety. The ministry has not responded but I hope it will very soon. That was with respect to enhancing seatbelt usage.

If you rank the provinces according to seatbelt usage, right now Ontario is ninth across the country. That is absolutely pathetic and abysmal and I think the ministry has a great deal of work to do in that respect to enhance seatbelt usage across the province.

I would like once again to thank and congratulate and commend the member for London North for her sincere commitment and her sincere approach to this issue. I hope all members will give consideration to supporting it.

Mr Mills: I am going to be very brief to give my colleague an opportunity to comment on this bill. I commend it.

In my retirement plans, which somehow got untracked, I intended to go to Vancouver and buy a bicycle and cycle completely across Canada. I bought this book to do that, to learn about it. It is interesting to read that rider error causes 75% of the accidents. Vehicle driver error causes 10%.

The author of this book is a very famous person and an authority on bicycling, Eugene A. Sloan. He talks about a helmet, saying, "I would not go two feet on my bicycle without a helmet on my head." I think that speaks for all of us here.

I rode a bicycle in England. I was brought up on a bicycle when it was not the cool thing to do. We rode the

bicycle out of necessity, to work, to church, to court. We went everywhere on a bicycle. I must say that I took a number of spills. There are tram lines in England, and I have been down for the count from two hours to three days. Some people may think that all those blows on the head account for my behaviour here today. Nevertheless, I endorse the bill.

I have some concerns about enforcement. I have some concerns about poor people not being able to afford it, as the member for Essex South said. I am very concerned about that. I am confident we can work all these things out when it gets to the resources committee.

With that, I will sit down and let my colleague, who is also a keen cyclist, finish off our time.

Mr G. Wilson: Thanks to my colleague for allowing me a bit of time. As he suggested, I am a keen cyclist. In fact, I cycled to work in Kingston for 10 or so years and certainly raised our two kids on the back of a bicycle, as it were.

I am glad to stand in support of this bill because of its drawing attention to the need for helmets. I went for a number of years without a bicycle helmet and have reformed to the extent of buying one recently. I am no longer going two feet without a helmet, either, and have arranged to get helmets for the rest of the family as well, because we think it is a very important step to be taken to make bicycling safer.

However, while this bill certainly points to what an individual can do to make bicycling safer, I do want to mention what we as a society have to do to make it safer, and that is to create space on our congested roads for bicyclists. To that end, I am pleased to say that the city of Kingston has established a bicycling advisory committee to look to promoting the use of the bicycle as a major form of transportation in Kingston and area for reasons of health, fitness, pollution reduction, energy conservation and even to create more parking space. They also see it as a way of promoting tourism, that the safer our streets are, the more congenial it is to ride bicycles. It is a very good way of seeing the city, on a bicycle. However, as the member for London is pointing out, one should do it with a helmet. Making sure that helmets are available when we rent bicycles would be one way of doing it.

Mrs Caplan: We just have about a minute left on this debate. I want to congratulate all the members in the House for participating in this discussion.

There are a couple of issues, however, of real concern. It is easy to vote in principle for things that make a lot of sense, like protecting children who are riding on bicycles. One question I would have is that of enforcement. How would you enforce this? I think that is something that has to be asked as the bill goes forward.

Second, how would you provide helmets to those children who simply cannot afford one? That is a real problem. We have children today in difficult situations. I would not want to see a bill like this go forward unless there was some debate and discussion around ensuring that no child was going to be told he could not ride a bicycle because he could not afford a helmet. That is an extremely important

part of the debate and I did not hear a lot of discussion on that today. I would hope before we all stood up in principle to say that this is a great idea, we realize it will have a negative impact as well.

1150

Mr Turnbull: I very much wanted to speak today to compliment my colleague the member for London North and the other speakers. This is a very important subject in my estimation.

I remember around 1965 when Volvo brought out a car in which safety belts and headrests were to be standard equipment. That was a peculiarity in the auto world at the time. Slowly, other auto makers were encouraged to do this, and then finally we had legislation. Since the legislation mandating car seatbelts was introduced, we have seen a singular drop in the number of fatalities and serious injuries in cars. I think we have to apply the same sort of rule to the head injuries which occur when people fall off bicycles for whatever reason.

With regard to the cost, I do not think we can afford not to make sure that this is mandated. It costs approximately \$500 a day for those children who go to the US to have head injuries treated. We send literally hundreds of children each year to the US for treatment of head injuries, so this is money that would be well invested. When we look at hockey nowadays, it is against the rules for children to play without helmets, and that has been a significant fact or in reducing injuries.

I want to applaud my colleague for bringing in Bill 124 amending section 88 of the Highway Traffic Act. I hope we can send this quickly out to committee to make sure that any problems there may be with the bill can be ironed out.

Mrs Cunningham: In the short time left, I would like to add a few comments with regard to the great concerns of the member for Essex South. I shall try very hard to get his support today, and certainly that of the member for Oriole.

When one talks about affordable and workable, all I can say as the mother of a head-injured son—there is only one thing to say: You cannot afford not to wear a bicycle helmet. The amount of money that goes into rehabilitation, and the quality of family life and of that child's life or adult's life, no one could ever put a price on. That is the simple answer. The statistics are there now. Even seven years ago or five years ago I would never have asked for the members' support, but this year I ask for it because we have done our homework.

As far as workable, I can tell members right now that we have to make it work. The Ontario Federation of Home and School Associations has written me a letter, along with many, many others. I could not begin to read them into the record. The association's very first resolution says,

"Be it resolved that the Ontario Federation of Home and School Associations adopt the policy that all cyclists regardless of age and passengers transported in bicycle-mounted child carriers be legislated to wear bicycle helmets." This is their very first resolution, number 9, 1991.

We do have some precedents that we can look at when this bill is in committee, and I sincerely hope we can get it into committee. I will pass those comments to the member for Essex South, who has been here a long time. I cannot solve problems if we do not have a committee to look at the enforceability. Let's at least get it to committee so we can talk about it seriously.

In New Jersey, for a person 16 years of age or older who violates the act, there is a maximum \$25 fine for the first offence and \$100 for a subsequent offence. That is 16 or over. Under 16, interestingly, they may be fined, but really it is the responsibility of the legal guardian, and for subsequent offences after the first or second warning it is \$100. That money goes into a bicycle safety fund for two reasons: education programs and to support children who cannot buy their own helmets. That is something for us to look at.

We will talk about the phasing in. In Australia, a plan started on 1 January 1991 and is now in effect for adults older than 16. There is a phase-in period of six months to see how it works. I think we have to talk about these kinds of things in committee.

I have to tell the members that I really appreciate the support of the members today, especially the member for Windsor-Walkerville, who did a wonderful demonstration that we can use on tape. In the future, we will not have to spend any money putting a tape together around how one puts on a bike helmet.

I will also say that I really appreciate the support of the members for Durham East, Simcoe Centre, Kingston and The Islands, Simcoe East, Wellington and York Mills, as well as many other members who have come to support this legislation and have told me that they really are looking forward to the opportunity to discuss this in the standing committee on resources development.

I am looking right at the member for Essex South and saying, "Give us that opportunity," because we will not go any further if we do not get it. This bill went to committee of the whole this time last year and died. We cannot afford to have that happen this time.

I will tell members that the Premier called me yesterday morning and wished me the best and said he would be supporting the legislation as well. I really very much appreciate that kind of support.

Since I still have a minute and 55 seconds, I will go to work on the member for Essex South. I will give him some more information. First of all, I have to have a bit of fun here right now. One of the things I was against when it came to the costs for policing in this province last year was the bill that the member and his government supported with regard to courtroom supervision. So it is very difficult to stand up today and say that some of the acts that we pass in this Legislative Assembly will in fact pass respon-

sibilities down to the local councils. This one passes the responsibility on to families.

I would hope in committee that we can take a look at the member's very real concerns. In fun, I ask him for his support because I really think the only way we are going to get answers to his questions is for all of us in this Legislative Assembly to ask the experts and to ask families and children to come to us and tell us what the great barriers will be. One group that I would really like to point out is the Toronto city cycling committee that has already put forth some seven concerns that we should be considering in committee.

Our approach in this Legislative Assembly is to answer people who have positive criticism, because I think in Ontario we want the best legislation, legislation that will prevent head injuries, that will support families, that will be affordable and that will be workable. The process I ask all members to support today is one of openness, one with integrity and one where we can find solutions to a very real problem, the problem of young people suffering head injuries because they do not wear helmets in the province of Ontario.

LEGISLATIVE REFORM

The House divided on Mr Callahan's motion, which was agreed to on the following vote:

Ayes—44

Arnott, Bisson, Bradley, Brown, Callahan, Carr, Cordiano, Cousens, Cunningham, Curling, Dadamo, Drainville, Fawcett, Frankford, Harnick, Haslam, Hayes, Henderson, Huget, Johnson, Jordan, Klopp, Lessard, Mammoliti, Marland, McLean, Miclash, Murdoch, B., O'Connor, O'Neil, H., Poirier, Poole, Ruprecht, Silipo, Stockwell, Sutherland, Tilson, Turnbull, Villeneuve, Ward, B., Waters, White, Wilson, J., Wiseman.

Nays—19

Abel, Cooper, Coppen, Ferguson, Gigantes, Haeck, Hansen, Harrington, Hope, MacKinnon, Martin, Mills, Owens, Pouliot, Sterling, Ward, M., Wessenger, Wilson, G., Winner.

HIGHWAY TRAFFIC AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT LE CODE DE LA ROUTE

The Deputy Speaker: We will now deal with ballot item 30, standing in the name of Mrs Cunningham.

Motion agreed to.

La motion est adoptée.

Bill referred to the standing committee on resources development.

Le projet de loi est déféré au Comité permanent du développement des ressources.

The House recessed at 1209.

AFTERNOON SITTING

The House resumed at 1330.

MEMBERS' STATEMENTS

KEN GRANT

Mr McGuinty: It is my special pleasure to rise today to pay tribute to a most remarkable constituent of mine, Ken Grant.

Ken "The General" Grant is the morning show host for CFRA, a radio station serving Ottawa and the valley. On 23 June 1991, Ken marked his 30th anniversary with CFRA, making him the second longest running morning show host in Canadian history. That, in and of itself, is a remarkable feat but there is much more to Ken than his radio work.

Ken is a dedicated community volunteer. Ken was instrumental in bringing the Jerry Lewis Telethon to Canada in 1970. He has been the Ottawa segment host each year since then, and his efforts have played a major part in raising the more than \$7.5 million in contributions raised to date.

Ken founded the CFRA Happy Blunderers softball team in 1961, which has raised over \$250,000 for charities over the years. Ken has also worked in a fundraising capacity for the Canadian Cancer Society, the Amethyst Women's Addiction Centre, Big Brothers, the Royal Ottawa Hospital Foundation, the Canadian Hunger Foundation, St Brigid's Soup Kitchen and the Shepherds of Good Hope, to name but a few.

Ken makes over 200 public appearances each year, and all fees raised by him are turned over to local charities. Through his work on radio and as a volunteer, Ken has become much more than an Ottawa personality. He has in fact become part of Ottawa's personality, a part that is kind, warm, gentle and full of good humour.

I am honoured to have Ken as a constituent, and I am sure the members of this House will join me in congratulating Ken for the outstanding contribution he has made to the Ottawa community.

HIGH SCHOOL GRADUATES

Mr Sterling: The occasion that prompted me to make a member's statement today is one that every parent in our province and every member of this Legislature who is a parent can easily relate to, that moment when your heart swells with pride as you see your child walk across the stage to receive his or her high school diploma.

For the second and last time in my life, I experienced that feeling last night, when my daughter, Sara, graduated from South Carleton High School in Richmond, Ontario. I could not help but think how much better prepared young people are today than we were when we walked across a similar stage many years ago.

Sara was educated in the French immersion program, allowing her to qualify for a diploma in both English and French, an opportunity we certainly did not have as children. Through her school and community activities, my daughter, at 19 years old, has already travelled extensively,

has experience being a page in this Legislative Assembly and done many things that were unheard-of before. She, like many other students today, worked part-time throughout high school and has had the advantage of trying out various sports, cultural activities and social environments.

We in this Legislature think about the recession and our country splitting apart, yet I could not help but feel confident about our future when I experienced the maturity of our young people last night. On behalf of all parents, I would like to congratulate our high school graduates, the class of 1991. I wish them every success and happiness in the future.

EVENTS IN DURHAM WEST

Mr Wiseman: I rise today to inform the House of two important events that happened in my riding. The first event was the graduation ceremonies of nine women from the Canadian Jobs Strategy program, a training course in Oshawa. This event is significant because it was a program funded by the government to help women on government assistance develop computer skills that would enable them to return to the workforce in a meaningful way. For these women, this was achieved by overcoming considerable hardship. These women should be applauded and their success emulated by others. They had to work hard to reacquire the skills associated with going back to school. I wish them every success in the future.

My second event has to do with the annual Ajax Home Week. This is a week of fun-filled events for all members of the family, from kite-flying to parades, pancake breakfasts and culminating in an excellent fireworks display. None of these events can take place without an array of volunteers who work behind the scenes to make them happen.

On behalf of myself, my family, all the residents of Ajax and those who returned to Ajax or visited Ajax during the week, I would like to thank the volunteers from the service clubs and in particular Sue Bland, who was this year's chair.

LABOUR POLICY

Mr Offer: The Minister of Labour has finished his first nine months in office, nine months of turmoil, mismanagement and disappointment for everyone in the province. During the election the member for York South, the then Leader of the Opposition, promised a minimum wage geared to 60% of the average industrial wage. The Minister of Labour is the minister charged with implementing pay equity for women, which his leader promised to extend to every woman in the province. Yet he is now hoping only to implement a plan that would still exclude over 100,000 women across the province. Now the Minister of Labour has made the whole province panic with his package of labour law proposals, in which he refuses to allow public input. He will not allow consultations this summer. Instead, he will keep them clutched guardedly to himself until the legislation is presented to the House and another backlash develops like the one against Bill 70.

Bill 70 sums up exactly the problem with this NDP government. To the detriment of the provincial economy and the people who want to be part of it, they are fixated on job compensation when the problem is job loss. The Labour Minister introduced wage protection legislation without precedent and without consultation with affected sectors that was so punitive against private individuals and charities that the government had to recant. People in Ontario who work for a living want paycheques more than severance cheques. When is this Minister of Labour going to make this his number one priority?

DEFIBRILLATION EQUIPMENT

Mr Eves: In March of 1991, the base hospital program of Sarnia was funded \$120,000 by the Ministry of Health to provide a semiautomatic defibrillation program for victims of cardiac arrest in Lambton county. Today this equipment still sits idle because after the equipment was purchased and approved by the Ministry of Health, the ministry is now demanding that Lambton county adopt a 911 number, even though a public access emergency number already exists and all requirements were met when the equipment was purchased in March. Surely the minister agrees that as long as this equipment sits unused, this is another example of waste within her ministry.

The only requirement by the Ministry of Health was that Lambton county have "an efficient communications, user-friendly emergency telephone access such as 911." Those were the instructions given and one of the conditions upon which the purchase of this equipment was approved. Part of the area served by this emergency service does have a 911 number, ie the city of Sarnia, and the other part of it has an emergency access number, which is widely publicized. Will the minister please look into this matter and ensure that this equipment does not sit idle any longer?

INTERNATIONAL TRADE

Mr White: I rise to speak of the trilateral free trade negotiations. The economic risks of these potential arrangements are horrendous, yet those negotiations are being fast-tracked. The economy of Ontario has been decimated as a result of the bilateral free trade. Mr Mulroney rolled the dice and Ontario lost big. Many business people and politicians who were formerly neutral or even supportive of bilateral free trade have changed their minds significantly.

In early 1988, Oshawa city council voted by a very narrow margin to support the bilateral free trade negotiations. The councillors and people of Oshawa now know the results of free trade. They know from the plant closures and job losses in their community. The city of Oshawa, other municipalities and the regional municipality of Durham voted most unanimously, and one only overwhelmingly, to oppose the trilateral free trade negotiations.

The councillors of Oshawa have the wisdom and maturity, even the courage, to acknowledge their mistakes and learn from them. The city of Oshawa wishes the federal government could learn from its mistakes rather than simply repeating them time and again.

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ONTARIO-QUEBEC PARLIAMENTARY ASSOCIATION ASSOCIATION PARLEMENTAIRE ONTARIO-QUÉBEC

Mr Morin: It is with great pleasure that I rise today to announce the first meeting of the Ontario-Quebec Parliamentary Association. This meeting will take place tomorrow morning, Friday 28 June, in Ottawa. This association is unique. It brings forth members of the legislatures of Ontario and Quebec with the aim of fostering friendship, goodwill and mutual understanding between both provinces. It seeks also to enhance co-operation with regard to common areas of concern. The fields of legislation, culture, economics, science and technology will undoubtedly benefit from such co-operation.

We can learn many things from our neighbours to the east, as they can also from us. Both Ontario and Quebec are committed to improving their citizens' standard of living.

Toute initiative visant un rapprochement entre l'Ontario et le Québec mérite d'être soulignée. L'ouverture des voies de communication entre les deux provinces permettra une plus grande concertation en matières législative, sociale, économique, bref, en toute matière pertinente à nos intérêts. L'Association parlementaire Ontario-Québec est appelée à jouer un rôle important dans les relations entre le Québec et l'Ontario.

For these reasons, the creation of the Ontario-Quebec Parliamentary Association is long overdue. Friday's meeting will provide us with a first opportunity to get know each other in a spirit of friendship and conviviality.

MINISTERIAL PERFORMANCE

Mr Stockwell: Here is a brief assessment, a report card, if you will, on the NDP government at the end of the first session.

The Premier gets an F though his term paper, An Agenda for People, was a solid effort at political fiction; performance hampered by poor leadership skills, lousy memory and convenient double standard; will soon be expelled.

The Treasurer: Needs a refresher course in economics and remedial work in math. His marks, like our credit rating, have been downgraded.

The Solicitor General: Has trouble accepting responsibility; keeps telling us that the dog ate his homework.

The Minister of the Environment: Very weak in the 3Rs; seems to think they mean recant, reverse and retreat; has to improve or will be recycled.

The Minister of Consumer and Commercial Relations: We were not expecting to have to have to evaluate her today. We will have to get back to you tomorrow.

The Minister of Tourism and Recreation: Always appreciates being questioned; unfortunately never knows any of the answers.

The Minister of Community and Social Services: A neat appearance does not hide a mouldy performance that has pulled the rug from under her playmates.

The Minister of Education: Has a real fear of tests; would not win an Ontario scholarship even if she had not wiped them out.

The Minister of Colleges and Universities tells tales out of school.

The Minister of Labour: Failure to listen resulted in massive rewrite of first major assignment; likely will not be promoted.

The Minister of Transportation: A Rhodes scholar on the road to nowhere; must do better or will be ditched.

The Minister of Industry, Trade and Technology: Very good at nap time and recess.

JIM GREY

Mr Hope: Today I would like to bring the attention of this House to a local hero in my riding, a young local hero I must add, whose name is Jim Grey and his age is 93. Through the years he has been fighting in the county of Chatham-Kent for a 911 system. This young gentleman has spent numerous hours and a large amount of money to give the people of Kent county a 911 system.

He began a personal campaign in the early 1980s to lobby the public officers in the local area. He spent \$7,000 of his own money on advertisements for public awareness. Most recently, Mr Grey pushed for Kent county to study the implementation of a 911 plan.

Finally his contributions have been noticed. Last week I had the pleasure of presenting him with the National Emergency Number Association service award in honour of his dedication towards 911 and its promotion.

There are people in our community who have the capability of performing such worthy jobs, and not for political gain. I am sure that at the age of 93 Mr Grey has identified his concerns in making sure that the public's interest is well in hand and that in times of frustration the citizens can easily push 911 instead of going through the yellow pages to try to find the number.

ESTIMATES

Hon Ms Lankin: I have a message from the Honourable the Lieutenant Governor signed by his own hand.

The Speaker: The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending 31 March 1992 and recommends them to the Legislative Assembly.

Mr Turnbull: With your permission, Mr Speaker, do I have unanimous consent of the House for a statement on Terry Fox?

The Speaker: Unanimous consent is required. Do we have unanimous consent?

Agreed to.

TERRY FOX

Mr Turnbull: Tomorrow, Friday 28 June, is the 10th anniversary of the death of Terry Fox.

It is an honour to rise in the House today to pay tribute to the memory of this young man who has come to exemplify the word "courage," not only for Canadians but for people around the world. Members will recall the courage that Terry Fox showed the world as he ran from Newfoundland to Thunder Bay before cancer brought to a halt his Marathon of Hope.

His determination to do something about a cause he believed in has meant that his name will live for ever whenever heroes are mentioned. Terry believed that anything is possible, that "dreams are made if people only try."

Well, he tried. He had a dream that some day he and thousands of others could be cured of cancer. He wanted to raise enough money so that researchers could find a cure. The challenge was completely daunting, but still he went ahead. Terry Fox believed anything is possible. He said of cancer, "Somewhere the hurting must stop."

Members will recall his lonely run across the country, starting in Newfoundland and ending tragically in Thunder Bay when cancer finally overcame him. That was his Marathon of Hope.

The Marathon of Hope continues today in the form of the Terry Fox Run which takes place every September around the world. In this way, dedicated individuals and organizations have kept Terry's dream alive. Over the past 10 years they have raised the incredible amount of over \$90 million for cancer research.

In paying tribute to Terry Fox as a truly outstanding Canadian, I want to quote some of his own words. He said:

"I guess that one of the most important things I've learned is that nothing is ever completely bad. Even cancer. It's made me a better person. It's given me courage and a sense of purpose I never had before. But you don't have to do like I did, wait until you lose a leg or get some awful disease before you take the time to find out what kind of stuff you're really made of. You can start now. Anybody can."

Terry was only 22 when he died of cancer, the dreaded disease which strikes indiscriminately at young and old, rich and poor, but he changed people's attitudes towards cancer and the disabled. He showed that while cancer had claimed his leg, it could not break his spirit.

I encourage all members to participate this September in the Terry Fox Run to raise funds for cancer research and especially to honour the memory of Terry Fox, a great Canadian and a great inspiration to us all.

Hon Ms Lankin: On behalf of my colleagues, I would also like to mark the memory of a fine young Canadian, one who in dying young still left us with a remarkable legacy of courage and tenacity that is remembered throughout the world.

Terry Fox blazed a trail across Canada and into our hearts. Today is the 10th anniversary of the day Terry succumbed to cancer. It is hard to believe. He seems so close to us. I think that is an indication of the important, continuing and, yes, living contribution to our awareness of the need for cancer research and an eventual cure.

Terry Fox had the courage to give a face to cancer, to help humanize the plight of cancer patients, and in doing so he has left an indelible legend. Although his time with us was short, he provided his parents and the rest of Canada with a source of inspiration and pride. Perhaps at the end of these statements, I could ask the House to join with me in a moment of silence commemorating Terry Fox's contribution to all of us.

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Mr Phillips: I am honoured to have the opportunity to respond on behalf of our party.

It is rather a unique name. When you say "Terry Fox," it instantly conjures in each of us, I think, some very positive memories. There are very few people in this world who do that. Certainly when I heard that I would have this opportunity, I thought about the things I remember about Terry Fox. There was a line in the paper just last week that caught part of the flavour, and it said, "The haunting vision of the handsome, one-legged athlete, his face set in determination as he runs alone down the country's highways still lives with most of us." Certainly I think how the courage he displayed lifted me at the time.

I think he chose the term "Marathon of Hope" quite deliberately. One of his famous sayings was that dreams are made if people try, certainly for people with physical disabilities.

I remember when he went through Scarborough. There were a number of young people with physical disabilities. As they watched him go by, you could almost see their attitudes changing. They said, "Certainly if he can do it, I can do it." I think he made a substantial difference in that respect. His vision of the country, the fact that he started in Newfoundland and planned to head to British Columbia, for all of us was almost a visual demonstration of this country. As my colleagues have said, his contribution to cancer research, of course, was well known.

There is a saying that I carry with me. If the House will indulge me, I would like to read it. It is in the male gender. If members would interpret it in both genders I would appreciate it, because this is how it was written. It says: "It is not the critic who counts, nor the one who points out how the strong man stumbled or how the doer of deeds might have done them better. The credit belongs to the man who is actually in the arena, whose face is marred with sweat and dust and blood, who strives valiantly, who errs and comes up short again and again, who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause; who, if he wins, knows the triumph of high achievement and who, if he fails, at least fails while daring greatly so that his place shall never be with those cold and timid souls who know neither victory nor defeat." Certainly Terry Fox knew victory.

The Speaker: I invite all members, and indeed our visitors in the galleries, to join in a moment of silence.

The House observed a moment of silence.

The Speaker: I would inform members that the kind and thoughtful remarks as expressed today will be forwarded to Terry Fox's family, and of course our deepest sympathies along with them.

VISITOR

Mrs Marland: On a point of privilege, Mr Speaker: I know the members would like to recognize the presence in the members' gallery of Mayor Hazel McCallion of the city of Mississauga and regional chairman Frank Bean from the region of Peel.

Mr Sola: Mr Speaker, I would like to request unanimous consent to make a statement on the declaration of independence by Croatia and Slovenia on 25 June.

The Speaker: Is there unanimous consent? I am afraid there is not.

Mr Sola: I will then ask for a point of personal privilege to make the statement, because this is something that touches me personally, it touches my riding, it touches many people of various ethnic backgrounds in Ontario and in Canada. One can check Hansard on a daily basis and see similar statements made for various other communities.

The Speaker: To the member for Mississauga East, I certainly understand and appreciate the issue that he feels most strongly about. The precedents and the standing orders in this House dictate that we have unanimous consent for these types of statements, so unfortunately I am not able to grant your request on this occasion.

Mr Sola: I would like to ask one more time for unanimous consent.

Agreed to.

CROATIAN AND SLOVENIAN INDEPENDENCE

Mr Sola: I thank members very much. Any controversial statements that may be in here, I will try to leave out. I have tried to make this a statement that will not be offensive to any community in Ontario or in Canada.

As a Canadian with Croatian roots, I am compelled to comment on the historic happenings in the land of my birth. It is with great pride that I report to this House the declaration of independence by the republics of Croatia and Slovenia on 25 June.

This is the culmination of a series of events beginning with the first free, democratic elections in these republics last year, observed by members of this House, when the forces of democracy and independence won an overwhelming mandate. A referendum in both republics last month resulted in a resounding vote of confidence, over 94%, for the democratic governments and their quest for independence. It is time for all who uphold democratic rights and freedoms to come forward to cheer the triumph of democracy as expressed in Croatia and Slovenia.

Can Yugoslavia survive when it has blocked Stipe Mesic's assumption to the rotating presidency, cancelled the autonomy of the provinces of Kosovo and Vojvodina while retaining their vote, and abused human rights in every republic and province?

There are several other statements I had prepared that I will leave out just in case they may be too controversial.

Yugoslavia, like all nations, if it intends to survive, must comply with its own Constitution. The above list clearly demonstrates it has not. This has propelled Croats and Slovenians towards their independence.

By giving recognition to Croatia and Slovenia, we are not taking sides, only stating the obvious: the right of people to self-determination. Free and democratic societies provide the right atmosphere in which people can live as neighbours seeking their destiny to raise families and work in harmony with others. For example, prior to the forced

creation of Yugoslavia, Croats and Serbs lived for centuries as good neighbours.

We cannot turn back the clock of history. We must accept the challenge of independence and encourage the peaceful resolution of all disputes that have festered too long in these proud communities. How we handle this challenge will foretell how we resolve similar movements towards democratic and free societies.

I urge support from all members for the democratic movement that we are witnessing in Slovenia and Croatia. For us, earlier signals of self-determination displayed in Tiananmen Square and in the Baltics were lights of hope. Let this hope remind us of the need to continue to promote freedom for all peoples of the world.

I thank the members of this House for their generosity.

STATEMENTS BY THE MINISTRY

MINIMUM WAGE

Hon Mr Mackenzie: As the House knows, this government has worked hard to introduce fairness and equality into all of our initiatives. This commitment includes an attempt to eliminate poverty in Ontario. We believe it is only when all the people have better access to everything this province has to offer and an equal chance to participate in the life of the province that we will live in a just and equitable society.

To achieve this, our government has undertaken an important antipoverty strategy. Elements of this have already been announced in the budget. For example, the Treasurer has already announced the largest enrichment in the history of the Ontario tax reduction program, which will result in an additional \$50 million in reduced taxes for low-income earners. These tax reforms are designed to achieve greater equity in the tax system and to provide tax relief for low-income families.

We have also committed \$215 million on a full-year basis to the revitalization of social assistance reform. This funding will be used to provide benefits to those in greatest need, to help people get into the labour force, to increase fairness and accessibility and to assist municipalities with their funding responsibilities.

Another important component of our antipoverty strategy is the revision of Ontario's minimum wage rates. Historically, minimum wage revisions have attempted to compensate our province's lowest wage earners for their loss of purchasing power. Ontario's current minimum wage of \$5.40 an hour, however, does not reflect consumer price increases that have taken place over the last 15 years.

1400

Between 1975 and 1990, the consumer price index for Ontario rose by 179% while the minimum wage increased by only 125%. This has meant not only that minimum wage earners have been unable to keep up with increasing costs, but also that their purchasing power has slipped further and further behind. Clearly, this situation cannot be allowed to continue.

There are currently more than 160,000 workers at or near the minimum wage in this province; that is, more than 4% of our workforce. Minimum wage earners make only

48% of the 1989 average wage. If I can put that in perspective, that means these workers are trying to take care of themselves, and in many cases their families too, on less than \$12,000 a year.

Minimum wage earners are not only struggling to survive on an income that most of us would find impossible to live on; they also tend to be among the most vulnerable members of the workforce in the province. Revisions to the minimum wage provide these workers with practically the only means they have of getting a wage increase, because they generally find it impossible to negotiate increases for themselves.

The increases I am about to announce will, we believe, have an important impact on working women as 57% of minimum wage earners today are women, 5% of the total female workforce. This increase will reach some women before pay equity increases by other means can be achieved and will directly benefit those not covered under the legislation.

In addition, more than 20,000 people who are currently working and receiving social assistance top-ups will earn more money from the minimum wage increase. This will either eliminate their need to receive social assistance or will reduce the amount paid to them in social assistance.

Students will also benefit from these changes. A differential has been in place since 1973 which has allowed employers to pay one group of students a lower wage than another group of students. The factor permitting this is age. At present, a student under the age of 18 could be paid 85 cents an hour less than a student over the age of 18. That just cannot work in a society that promises equality and fairness. In fact, the existence of the student differential is currently before the courts in a challenge under the Charter of Rights and Freedoms, and recently our neighbouring provinces, Manitoba and Quebec, recognized this inequality and eliminated their differentials.

It is as part of our government's antipoverty strategy that we announce the following revision of minimum wage rates.

The minimum wage will be increased by 60 cents, bringing it to an hourly rate of \$6. This is a first step towards increasing the minimum wage to the level of 60% of the average wage.

The 1991 increases, which usually come into effect on October 1, will now take effect on 1 November so that most seasonal work can be completed at one wage rate.

We will reduce the student differential by 40 cents this year. This will bring the student wage to \$5.55. In 1992, the differential will be eliminated altogether.

Room and meal allowances, which employers may deduct from minimum wage earnings where lodging and food is provided to workers, will be increased by the same percentage increase as the general minimum wage.

Half- and full-day minimum wage rates for hunting and fishing guides will be increased from \$27 and \$54 to \$30 and \$60.

The minimum wage for harvest workers will also increase to \$6. As in previous years, this change will take place in January.

Finally, the current liquor servers differential, which allows employers to pay liquor servers 50 cents less than the minimum wage, will remain but will be reviewed in the coming year.

As honourable members will recall, in the November throne speech we set out as our target a minimum wage that will reflect 60% of the average wage by 1995. My announcement today is a first major step in achieving that target. The pace and level of future minimum wage increments will be decided in the context of such factors as prevailing economic conditions and other government initiatives benefiting lower-paid workers. The revisions will of course be determined as a result of ongoing consultations with labour, business and other groups.

GARBAGE DISPOSAL

Hon Mrs Grier: I met earlier today with the chairpersons of the greater Toronto area or their representatives. I would now like to inform the Legislature of this government's plan to deal with the GTA waste crisis. After events here yesterday, I am going to set the record straight.

Clearly the attempts of the past two provincial governments fell far short of the goal of solving waste problems in the GTA. Three existing sites currently handle most of the waste from Metropolitan Toronto, York, Peel and Durham. They are Britannia Road, Brock West and Keele Valley. Britannia Road and Brock West reach their original design capacity in 1992 and Keele Valley in 1994.

The earliest we can expect to have long-term sites open is 1995. Therefore, we must act now to deal with the gap between the closure of existing sites and the opening long-term sites. The prospect of having nowhere to dispose of waste is too great a risk to the health, environment and economy of the regions. This is a risk I will not take. I have no choice but to use the emergency powers provided in the Environmental Protection Act to ensure there will be continuing garbage disposal capacity in the GTA until we get the long-term sites operational.

I am directing the regional municipality of Peel to implement a lift at the Britannia Road landfill site to be operational by 1992 and I am also directing the municipality of Metropolitan Toronto to implement a lift at the Keele Valley site to be operational by 1994. A lift adds height and capacity to each landfill but does not expand its boundaries. I am not directing the implementation of a lift at Brock West. This site is not considered environmentally acceptable for extra capacity. The region of Durham will have to build a transfer station to facilitate the transfer of waste to Keele Valley.

I will require the regional governments to undertake detailed studies of the environmental impacts of the lifts at Britannia Road and Keele Valley. Given the nature of the emergency, we have no time for the full environmental assessment process on these interim measures.

Public liaison committees representing communities adjacent to the two lift sites will be invited to monitor and advise on the engineering studies and implementation of the lifts. Our government will ensure that the maximum degree of public consultation is carried out, given the tight time constraints under which we will be operating.

The need for and duration of these interim facilities are directly related to the success or failure of everyone's efforts to reduce wastes. The regional municipalities have a key role. This fall, I will introduce legislation to give both authority and responsibility for 3Rs activities to the regional governments in the GTA. The waste reduction office will co-ordinate the preparation of GTA waste reduction action plans and we have already initiated discussions with the GTA regional municipalities on funding implementation of these plans as well as funding 3Rs capital expenditures.

The Interim Waste Authority Ltd has been established to find three landfill sites, one in Durham, one in Peel and one within the boundaries of Metropolitan Toronto and the region of York. The searches will follow the principles of the environmental assessment process. Consulting teams have been hired by the authority to begin the site search and to design and implement the public consultation program. Details on the waste reduction programs and on the site search are available in an action plan I released today.

As I told the Legislature yesterday, I did not create this crisis but I am going to solve this crisis and I am going to manage this crisis.

Mr Sorbara: Stupid, stupid.

The Speaker: Order. The member for York Centre, I appreciate your enthusiasm. The vocabulary is not appreciated.

Mr Sorbara: You mean appropriate.

The Speaker: Oh, well.

1410

LIMITATIONS REFORM

Hon Mr Hampton: I am pleased to announce today that I am releasing a consultation draft of a proposed new Limitations Act. It is my intention to engage in active public consultation about these proposals over the summer and to return to the assembly with a bill that will promote and protect the interests of all parties engaged in civil litigation.

Limitations law affects virtually every civil proceeding commenced in our courts. However, much of that law is three centuries old. In recent years there have been numerous proposals for reform. Just weeks ago the Court of Appeal for Ontario expressed strong concern about the confusion, uncertainty and injustice arising from the present Limitations Act and the limitations provisions in other statutes and called for urgent review and revision.

The proposals and the discussion draft reflect the recommendation of the Attorney General's Limitations Act consultation group, which was established in December 1989 and which presented its report to me in April of this year. The draft bill is designed to achieve a new, modern balance between the competing rights of plaintiffs and defendants. Access to justice is enhanced for plaintiffs by ensuring that, as a general rule, their claims are not barred before they have knowledge of them. Establishing an ultimate limitation period after which most claims cannot be brought recognizes the defendant's need for certainty, which is the fundamental purpose of all limitations law.

We propose to replace dozens of archaic, confusing and unjust limitation periods with a single limitation period of two years that would not begin until the plaintiff

had sufficient knowledge to commence proceedings. Only if a party did not discover a claim until after 30 years might the claim be finally barred. A shorter period of 10 years could apply in the case of medical negligence or building deficiencies.

While there are many pressing and legitimate reasons for limitations reform, none is more urgent than the need to remove the barriers to justice for sexual assault victims. In far too many cases, the limitation period expires before the victim recovers sufficiently from the trauma of a sexual assault to be able to cope with legal proceedings.

We propose that there be no limitation period whatsoever where a sexual assault has taken place in a relationship of trust or dependency. In other types of sexual assault or assault in a relationship of intimacy or dependency, there would still be a limitation period, but the victim could be presumed to be incapable of commencing the proceedings. Thus, in order to bar the claim, the defendant would have to show that the victim had for at least two years been capable of commencing the proceedings. Limitation periods would generally not run against persons under the age of 18 years or persons who are incapable of commencing legal proceedings.

Another concern is the impact of limitation periods in cases of environmental harm. Under the consultation draft proposals, legal proceedings could be barred after 30 years. However, we recognize that this issue will benefit from fuller public discussion.

At this time I would like to thank the Limitations Act consultation group, whose membership included representatives of the Ontario women's directorate, the Canadian Bar Association, persons with disabilities, building designers and contractors, hospitals, doctors and municipalities. This draft bill is the product of its careful deliberations. Now, however, I invite the members of the assembly and all concerned citizens throughout the province to comment on the consultation draft and to assist the government in determining the directions of limitations reform. Whether they support the proposal or have concerns, it is equally important that I have their views.

The Speaker: Statements by ministers? Responses.

Mr Beer: On a point of privilege, Mr Speaker: There were three, indeed four, minutes left on the clock when you asked for further ministerial statements. Shortly before the House came into session today, the Minister of Education released a press release which deals with a most important precedent that the minister has set with respect to the Ottawa-Carleton French-language School Board.

I believe that my privileges as a member and indeed as a critic are infringed by the fact that the government, with sufficient time, did not have a statement for the minister to make in this House. I ask for unanimous consent to allow the minister to make a statement. I further ask that time be added to the opposition responses for that statement.

The Speaker: The member brings before me two distinct matters. One, of course, is to ask for unanimous consent for a statement to be made, and I am quite pleased to put that question in a moment. The second, of course, is the question about what is not said in the chamber, and

over that I have no control. I appreciate the member's bringing this to my attention. I will ask the House, is there unanimous consent for a statement to be made by the Minister of Education? Agreed.

Agreed to.

The Speaker: The time will be added to it, not to worry.

Mr Ruprecht: Mr Speaker, also on a point of personal privilege: I think my rights as a member have been infringed. Yesterday and today we learned in the Toronto Star that this government and the Minister of Tourism and Recreation are backing Expo 98's bid. There are five minutes left on the clock and I would consequently ask, as well, unanimous consent that the Minister of Tourism and Recreation be permitted to make the statement that has obviously been made in the press to determine especially that this is—

The Speaker: We will have the same routine—
Interjections.

The Speaker: Now that I have captured your attention, the member for Parkdale raises a similar matter and of course I will pose the same question.

Interjections.

Mr Ruprecht: Those guys are making the policy without our being able to respond. What is it? Is it ignorance?

The Speaker: The member for Parkdale, come to order. Is there unanimous consent for a statement to be made by the Minister of Tourism and Recreation?

Some hon members: No.

Negated.

The Speaker: All right, the Minister of Education.
Interjections.

Mr Ruprecht: Ignorance—

The Speaker: Order. The member for Parkdale, I realize it is the end of a long and tiring session. However, some modicum of control over our vocabulary would be very much appreciated. I would ask the member to withdraw the word he just uttered, which is not parliamentary.

Mr Ruprecht: I think you are absolutely correct that I will withdraw this word. However, I want to make sure that the minister has made a policy statement and—

Interjections.

The Speaker: Order. Would the member take his seat, please. He was doing fine with the first part of the sentence, so perhaps we will just leave it at that and we will carry on and hear from the Minister of Education.

FRENCH-LANGUAGE SCHOOL BOARD

Hon Mrs Boyd: I am very pleased that there is time left for me to make a statement because we did not anticipate that there would be. We received word only today from the Ottawa-Carleton French public sector that it was not prepared to accept a plan we had presented to it by which we would send in the Provincial Auditor, that we would appoint an adviser to assist it and to monitor its expenditures until such time as a need was clearly demonstrated around its financial circumstances.

The House should know that since its establishment in December 1988, this sector of the board has been accumulating a deficit. That deficit in 1990 totalled about \$10 million. We anticipate by the end of this calendar year it will total about \$19 million. That is a very high proportion of their grant expectations for the year. The bank from which they get their credit line has refused to extend their credit line and we, as a government, have refused to extend under the Education Act the amount of credit they can have.

We feel it is absolutely essential that we exercise what control we have. We have met many times with the board as a ministry. I myself have met with them a number of times to try to find a way to deal with this. They have commenced court action against us on the grounds that the funding base set by the previous government when the board was created did not give them sufficient funding.

At this particular time, the government feels very strongly that we must take the action that is available to us to ensure that the taxpayers, the students and the employees of the board are well served. That action is to ask under the Municipal Affairs Act for the Ontario Municipal Board to take the action required to ensure that fiscal responsibility is exercised by this board.

1420

The Speaker: To be clear, before we go on, we have kept within the 20 minutes allotted for ministerial statements, so the rules will continue to apply. We have five minutes' response time from both parties.

Mr Ruprecht: Mr Speaker, looking at the clock, I see there is one minute and 45 seconds left. I would repeat my call for the Minister of Tourism and Recreation to make a statement.

Interjections.

The Speaker: Being lively and enthusiastic is certainly a good attribute. We are now ready for responses.

RESPONSES

MINIMUM WAGE

Mr Offer: In response to the statement by the Minister of Labour, this increase to the minimum wage is in keeping with the percentage increase of previous Liberal governments. It is one to which we agree, but it is not one that the minister promised the people of this province.

Last summer, in the Agenda for People, as the minister knocked on doors, he said, "Vote for me and the minimum wage of this province will be increased to 60% of the average industrial wage, which will result in a minimum wage of \$7.20." The announcement today of \$6 is a major backtrack on the promise he made to the people of this province. People responded to his promise, but he has not. The statement today clearly shows that he and his government will say absolutely anything in order to achieve political advantage, but with absolutely no commitment and carrying through.

Last November, on this very topic, I asked the minister a question and he responded by saying, "Surely the member should never have doubted my commitment and my honesty in terms of our commitment to 60% of the average

wage in the province of Ontario." On the basis of the statement the minister made today, I certainly do.

GARBAGE DISPOSAL

Mrs Sullivan: I am responding to the announcement from the Minister of the Environment and the minister responsible for the greater Toronto area. The minister left this House yesterday and told the media and the people of Ontario that the documents from a cabinet submission that I brought to the House yesterday were out of date and could not be seen as her plan to deal with Metro garbage. What she announced today, however, is precisely what was in those documents, and it is clear that her intent was not to bring these plans before the House.

She makes it clear that there will be a serious garbage gap in the greater Toronto area. Further, her documents, which she released today, show that gap will last from a minimum of two and a half years to over five years. For hundreds of thousands of people in the greater Toronto area, there will be no place to put their garbage. This confirms our worst fears of the minister's mismanagement of this issue.

Today, the minister announced she will call for expansion of garbage dumps on Britannia Road in Peel and Keele Valley in York with no environmental assessment. She adds further pressures to those sites and communities by requiring Keele Valley to accept garbage from Durham region. She has not ruled out transportation of garbage outside the GTA during the garbage gap, but she has deliberately tried to hide that fact. But if members look at the information, they will discover that in fact it is included on page 19 of her document.

The minister has indicated that consultation will take place, but it is also clear that with regard to the expansions of Keele Valley and the Britannia Road landfill site, the consultations will occur after the fact.

The minister has been a strong proponent of the Environmental Assessment Act, but it is clear that the environmental assessment process in fact means very little to her. By using her emergency powers for the short term, she is throwing away the provisions of that act, and it is clear, under the announcement she has made today, that her commitment will be broken for the long term as well. Her announcement says long-term sites will be developed in accordance with the principles of the Environmental Assessment Act. She does not say those long-term sites will be developed under the provisions of that act. The authority will short-circuit not only the existing act, but any streamlined process under new legislation for which we are still waiting, under the environmental assessment program improvement project. There is no indication in these documents, either, of what the site selection criteria will be for the long-term sites. Will she allow garbage dumps in fact to be expanded in the Oak Ridges moraine? Is that automatically a matter of course? It seems clear that it is.

The minister has indicated she must act where there are long-term legislative requirements. She has indicated she would bring before the House legislation to set up the public authority. However, what has occurred is that that authority has been set up with the minister as a sole shareholder

of a limited company. That company has no powers or authority under the legislation granted by this House. The only authority it has comes as a result of decisions made behind closed doors by order in council.

The minister has taken responsibility away from the municipalities for the 3R program; now she is turning it back to them. But while she is doing that, she is saying she is going to steal the tipping fees, which would allow them to cover the costs of the 3R program. She talks about consultation, yet she told the municipalities about this fact in a hastily called meeting this morning. The blame for the garbage gap rests with this minister. She is thoroughly incompetent and irresponsible in her management of this issue.

MINIMUM WAGE

Mr Harris: I wish to respond briefly to the statement by the Minister of Labour. Unlike the Liberal Party, which seems to be upset that the minimum wage was not instantaneously set at somewhere around, or in excess of, \$7 an hour, I want to congratulate the minister for breaking the Premier's promise. I understand, most of us understand, the need for some form of minimum wage. It is my sense that it should move with inflation. Unfortunately, the government has given increases to \$100,000-a-year civil servants of 10%, 12%, 14%, 16%, 18%, 20%, so it was difficult for him not to give at least about 10% on the minimum wage.

But I want to say this to all members of the House quite frankly. I want to say to the Liberal Party and to the New Democratic Party, and I want to say this to all governments in Canada: We all want the minimum wage; we all want all wages to go up. We would like that. However, there is a reality that saying so or artificially setting it so without earning it is causing the deficits, the taxes, the job losses, the lack of competitiveness in this province and this country.

Until this government and all politicians begin to understand that while you might wish that wages could be higher, while you might want to legislate them to be higher in the private sector, the fact of the matter is that if the money is not earned, there will not be any jobs. That is why the estimates of 50,000 job losses in this province were put forward. It is what has happened in other jurisdictions. Unfortunately, many people in this province will go from \$5, \$5.50, \$6, \$6.50, \$7 to nothing, and I regret that.

GARBAGE DISPOSAL

Mrs Marland: In listening to the Minister of the Environment today, the only thing I can say to the minister is that I see her lips moving, but I hear the voice of the member for St Catharines. I think this is a further demonstration of a flip-flop government, and this day was inevitable. These are her empty promises and it only goes to prove that everything she said before she was elected does not stand for anything now. She is above the law. I have documents in my hand here that protect the expansion of the Britannia landfill site. She seems to have overlooked the fact that we are now going to be spending thousands, perhaps millions of dollars, with the taxpayers of Metropolitan Toronto

and the region of Peel fighting her government on the expansion of these sites.

How is it that the minister is above the law and how is it that she takes over the responsibility for managing garbage for the province and then says in her statement today, "I will require that the regional government undertake detailed studies of the environmental impacts"? How is it she says on the one hand, "I will look after it," and on the other hand she says: "You do it. You spend the money of the local tax base," the local dollars from those people who can hardly afford the taxes as they exist today? I simply say to the minister she should think about the cost of the statement she has made today. She will live to regret it.

Mr Cousens: This minister is showing how inconsistent she can be. They said one thing before when they were going to have public hearings; now we are not going to have public hearings. Last fall, the province was going to accept responsibility; now it is going to be the regions. There was once going to be a public sector authority; now there is an interim sector authority. There was once going to be public integrity; now the minister is going to have emergency powers. What I have to say to this minister is, she is even incomprehensible to the 38% of the population that voted for the government.

1430

LIMITATIONS REFORM

Mr Jackson: All members of the House welcome reforms to the Limitations Act, but, quite frankly, with women having the lowest access rates in this province across all of Canada for compensation, for justice when it comes to assault and a series of other crimes, the solution lies with meaningful reforms across the board, through the Solicitor General's office, through our court system, through counselling and support services. The narrow Limitations Act consultation paper is not the step forward victims are looking for. Stop being the last province in Canada to have a victims' bill of rights. Let's have a bill of rights for victims in this province. They are the only government holding it up in Canada.

EXPO 98

Mr Harris: On a point of order, Mr Speaker: I understood we had unanimous consent for some time on discussion on Expo 98 and I wonder if we could extend our time. I would like to respond to the non-statement of the minister.

Interjections.

Mr Harris: I am just asking. If they do not want to talk about it, fine. It will not help them.

Interjections.

The Speaker: Order. I apologize to the member if I did not make it clear that the amount of time allotted for ministerial statements was fully utilized—would the member for Markham take his seat, please—and therefore we were continuing to follow the standing orders, which allowed five minutes per party. That has been observed as well. Since we are all in a convivial mood, we are ready to move on to question period.

HUMAN RIGHTS

Mr Cousens: On a point of order, Mr Speaker: A minister of the crown has violated a section of the Human Rights Code. The Minister for Citizenship with responsibility for human rights in Ontario has changed the procedure for appointing persons to sit on the boards of inquiry under the Ontario Human Rights Code. She has put out a special form. It has been created to allow for persons to apply for these positions. The form adopted by the minister invites applicants to state their race or colour, gender and whether they have a disability. This is in breach of the Ontario Human Rights Code, section 22. I thank the member for Leeds-Grenville for pointing it out to me. It is a very serious breach, and I challenge the minister to address it.

The Speaker: Would the member for Markham take his seat. He may know this is not something that is out of order. It is not a point of privilege, but it sounds as though he was trying to get a jump on question period.

MEMBERS' PRIVILEGES

Mr McLean: On a point of privilege, Mr Speaker: Under section 21(a) of the standing orders, I rise today as a member of this provincial Parliament and as a representative of the people of Simcoe East. My use of this Legislature is being seriously abused as a result of the Minister of the Environment's decision not to acknowledge the concerns of some of my constituents.

The minister was in her seat yesterday through most of question period, but she mysteriously disappeared just before I rose to ask her a question. I believe she knew there were more than 50 people sitting in the galleries here—

Interjections.

The Speaker: Order.

Mr McLean: She knew I had a question for her. I believe she knew the question was going to be asked of her. I know she talked to the Minister of Natural Resources, who ultimately rose to respond to the question. I believe she knew the importance of the matter that I wanted to discuss with her. Mr Speaker—

The Speaker: Would the member take his seat, please. There are certainly quite a few rules in our book of standing orders, but one of them is not for the Speaker to command the attendance of any member, including any member of cabinet, but I appreciate your bringing this to my attention.

RENT REGULATION

Ms Poole: I too rise on a point of personal privilege, Mr Speaker: The Minister of Housing has sent out a letter to tenants across this province concerning Bill 121, the proposed Rent Control Act. I will quote excerpts from this letter to show how tenants could be misled to believe that this legislation is in final form and how they could rely on this information.

The letter says: "On 6 June I introduced legislation called the Rent Control Act, which sets out a new system to protect tenants. Under the new system the rent control guideline will be calculated each year based on inflation,

but before a landlord is awarded any increase above the guideline he or she must—

Interjections.

The Speaker: Order. The member for Eglinton may know that events which occur outside of this chamber with respect to government policy or any other matters are not something upon which the Speaker can make a ruling.

I do not know whether we are about to have any more points of order. I would certainly appreciate it if members might take the opportunity of the summer break from this place which we are about to have to perhaps revisit the standing orders.

ORAL QUESTIONS

UNEMPLOYMENT

Mr Kwinter: My question is to the Premier, who will know that today is this Legislature's last sitting of the first year of his government's term of office. The hallmark of this year is perhaps best underscored by unemployment figures released yesterday. In April there were 367,000 unemployment insurance recipients in Ontario, the highest level ever, according to Statistics Canada, and an 84.5% increase over last year.

In the face of these unprecedented numbers, will the Premier not realize the deep apprehension that the people of Ontario have regarding the success of his efforts to get the economy moving, and could he tell us what he and his government are doing about it?

Hon Mr Rae: I appreciate very much the question from the member. Of course there are going to be a variety of views and I know the member has already spoken with respect to our budget.

I was struck this morning by the views of the chief economist and vice-president of the Conference Board of Canada, Mr Frank, who said that if we had had a smaller deficit, "It would have led to a significant delay in the recovery and contributed to further increases in unemployment, bankruptcies and lost output."

He goes on to say, referring to the group of people like house builders, like people who are working, people in the auto sector and elsewhere: "For this group, the budget was a confidence builder. Had the deficit been constrained significantly, I think consumer confidence would have been further damaged and the recovery delayed."

I point out that Mr McCracken from Informetrica says, talking about our budget, "I think it's a move in the right direction to do something for a province that has been particularly hard done by in recent years."

We have brought in a budget to which there have been a variety of responses. The member may disagree with it, but I think there are a number of people who now realize and recognize that the deficit we have faced up to is one that is caused by the recession, by programs that have long been in place in this province, as well as by federal cutbacks, and I think the budget that we have put in place has provided some stimulus to the economy in a difficult time.

1440

Mr Kwinter: Notwithstanding the Premier's allegations, and that is what they really are, that things are really happening, welfare rates have soared by over 185,000 people since he took office. Unemployment figures have increased by 60% from 316,000 in October to 509,000 in May. Yet the only job creation efforts that we have seen from the government are for short-term unskilled positions that will certainly disappear within months.

The NDP government has been either distracted from or oblivious to the issues of the day despite the Premier's protestations to the contrary, and the only response I get from any of its members is either blame it on someone else or go out and find some lone soul in the wilderness who is prepared to support them.

What about talking about all of the people who do not support the government? What about all of the people who were standing outside today at noon? Does the Premier just discount them? Tell me again what it is that the Premier is doing to create jobs in Ontario. What is he doing to get this economy going again?

Hon Mr Rae: I would challenge the honourable member to ask the people outside what they thought of his government and of the record of his administration with respect to the administration of the government. Look at the record. I do not think the Liberal Party can take much comfort from that.

I would just make the following points: I do not think the conference board has ever been described as a lone soul in the wilderness. I have heard the conference board described as many things, but a soul in the wilderness in not one of them. I do not know that you could describe that way the head of Informetrica, which is a well-known economic firm which has provided advice to governments at all levels, and I do not know whether one would describe John Kenneth Galbraith as a soul in the wilderness.

It is precisely because of the human realities behind the figures that the member has quoted today that we made a decision, knowing full well it would be controversial, but we made the decision that this was the year in which we would fight the recession and face up to the fact that, yes, we are going to have a deficit if we do that. That is exactly what we have done. We will continue to do that at the same time as we know and understand that the deficit will begin to come down as the economy recovers.

Mr Kwinter: There are over 1.3 million people in this province on some form of social assistance. The numbers keep getting worse, yet the Premier continues on as if nothing is happening, and the truth is nothing is. Rather than stand up and give us examples of those people who are saying things—I am not asking him about what they are saying, I am asking what he as the Premier of this province and his government are doing to get this province back to work, to get a climate in this province that will attract investments, that will create jobs and will get us back on a track that we have enjoyed in the past and, unfortunately, under this government have little hope of enjoying in the future.

Hon Mr Rae: Let me tell the member what we are doing. We have the largest capital investment budget in the history of Ontario, over \$4 billion of capital investment. Does the member want to know what we are doing? We are maintaining support for our schools, for our hospitals and for our institutions. We are providing assistance to business in terms of adjustment. We are making investments with business in terms of the future of this province and we are providing additional investments in training, all of which the member has criticized. He cannot have it both ways.

The member's party cannot stand up and say, "Your deficit's too high" and then turn around and say, "What are you doing?" The criticism that we are getting from this side of the House is that we are doing too much. The fact of the matter is we are engaged in the most productive investment of any province in this country with respect to capital investment in the future of this province. That is exactly what we are doing.

In a cooler moment, I would say to the honourable member if he has suggestions of a practical kind as to what else we could be doing, I would be very interested in hearing exactly what they are.

GARBAGE DISPOSAL

Mrs Sullivan: My question is to the Minister of the Environment and the minister responsible for the greater Toronto area. The minister and her ministry officials knew that a garbage gap was inevitable in the GTA, yet she cancelled plans earlier in the fall for interim sites to be developed under an Environmental Protection Act hearing by the Environmental Assessment Board because it was not good enough for her.

She and her government had promised, and I would just like to take members back to a quotation from the Premier, "All new dump sites and expansions of old ones must go through full environmental assessment hearings which look at environmental, social, cultural and economic impacts of a process."

I am asking the minister today how she reconciles her decision to use emergency powers and no environmental assessment of any kind to expand the Britannia landfill site and the Keele Valley landfill site with the previous promise of full environmental assessments for expansions of those sites.

Hon Mrs Grier: I am glad to have the opportunity to remind the member that under the plans of her government each of the regions within the GTA had to nominate an interim site. There were three sites nominated: one in Peel on prime agricultural land, one in Durham on prime agricultural land, and by the region of York a lift on the Keele Valley site currently approved, currently in operation.

I am faced with the recognition that there may well be and probably will be nine months when we are out of waste capacity within the GTA, and I was faced, as minister, with a very difficult decision. I decided that given the choice I was faced with, I did not want to shortcut the process and open a new greenfield site in Peel or a new greenfield site in Durham, that I had no choice—

Mrs Caplan: You did so cut the process.

The Speaker: Order.

Hon Mrs Grier: —but to order under my emergency powers available to me under the Environmental Protection Act extra capacity to be found at Britannia and Keele and that is what I did.

Mrs Caplan: How can you stand there with a straight face? Shameful in this House.

Mr Sorbara: We asked her seven months ago to do an EPA.

The Speaker: The member for Oriole, please come to order, and the member for York Centre as well.

Mr Sorbara: She could have done it seven months ago.

The Speaker: The member for York Centre, come to order. Had the minister concluded her remarks? Supplementary.

Mrs Sullivan: I want to remind the minister that under the Solid Waste Interim Steering Committee process, Environmental Protection Act proceedings under the Environmental Assessment Board would have been required for those sites, the process would have commenced last autumn and there would not have been a garbage gap had she not taken the stand she has taken and made the decisions she has made.

The minister has clearly stated that municipalities are being directed to implement expansions at both Keele and Britannia Road under her emergency orders. The studies and public involvement are a farce, given the decisions she has already made. The ministry paper, which was released today, states that the gap will last for two and a half years and is liable in fact to continue on until at least 1997.

Her gap strategy is duplicitous. It is not clear how she will meet the gap. Are only two expansions planned? What size will they be? The cabinet document I released yesterday indicated there would be two lifts each at Britannia and at Keele Valley, one of 3 million tons and one of 5 million tons.

I want to ask the minister if she will come clean and tell this House and the people of Ontario exactly and specifically what steps she will be taking to meet the garbage gap that she has indicated existed and that she created.

1450

Hon Mrs Grier: There is something missing from the preamble to the member's question. She fails to acknowledge that the site at Britannia is scheduled to close in March 1992, so for the region of Peel the gap starts next March.

Mrs Caplan: You are totally incompetent on this one. You have no credibility left at all. You created the problem.

The Speaker: The member for Oriole, please come to order.

Hon Mrs Grier: That is an issue that has to be addressed and that I have addressed. How long the gap will last, how high the lifts will be is entirely dependent on how successful all the people in all the institutions within the GTA are in reducing and reusing waste. That is the primary strategy. I was delighted to see in Metropolitan Toronto today in the Toronto Star the works committee feeling—

Mrs Caplan: You have no strategy.

The Speaker: The member for Oriole, come to order.

Some hon members: Throw her out.

The Speaker: Order.

Mr Stockwell: Prancing around Metro two years ago; yap, yap, yap and nothing has happened.

The Speaker: The member for Etobicoke West, come to order as well. Is it difficult to guess this is the last day? I would very much appreciate it if all members in the assembly, and particularly those who find it quite difficult to come to order, could practise a little extra restraint so that we can get through question period and on with our public business.

Mr Sorbara: We asked her to do an EPA last November.

The Speaker: I am asking you to come to order.

Mrs Sullivan: I also want to remind the minister that even with the most ambitious 3R programs, which we support, there will still be massive amounts of garbage to be dealt with. The garbage gap she has created through four different announcements of four different action plans over a period of nine months—they are not going to be able to deal with it.

The 24 May document, which I introduced in the House yesterday, indicated that shipping of garbage outside of the boundaries of the greater Toronto area was a component of her strategy. The paper released today does not address transportation of waste up front. It is hidden. Through creative writing and weasel words, the minister has left this door open. "Transportation of waste may be considered a feasible option," it says on page 19.

Will the minister confirm directly, will she come clean, that in fact she is still considering flip-flopping and allowing the GTA waste to be shipped outside of the region's boundaries, and will she also inform this House what communities are now being considered to be the recipients of that waste?

Hon Mrs Grier: As I indicated yesterday, the submission the member has obtained was a list of all feasible options. For the last several months a team in my ministry has been canvassing all possible options. Transportation is indeed a feasible option. It is not my policy. What I have announced today are two lifts.

I would like to address this fiction that somehow the gap was of my creation. I would like members of the Legislature to recall that the previous government called it an interim site policy and was planning for a six-year gap. I am planning for a nine-month gap.

GOVERNMENT SPENDING

Mr Harris: I have a question for the Premier. He is quoted in this morning's Toronto Star as saying, "If anybody thinks they've got a better solution or a quicker answer, I'd like to know what it is."

Mr Sorbara: Resign.

Mr Harris: Aside from the Liberal suggestion to resign, which I think has great merit, but is not something I would say on the last day of the House—the Premier knows that—I have, I believe, put forward a dazzling array

of suggestions as to how he could cut government spending. I did so in the campaign. I have done so ever since. I have offered to work with him in a non-partisan way to set priorities so that we can cut expenditures and the need for taxes and deficits.

I would like to ask the Premier about one of those in particular. On 20 March 1991, I called for a 2% cap on civil servants' wages in the public sector, something that could be recovered by the civil servants themselves after the recession was over so they would not fall behind. I laid that proposal out, something that would have saved nearly \$1 billion in this recessionary year. I called on him to implement that restraint program, not as draconian as many provinces have done but similar to every other province in this country. Can the Premier tell me why he ignored and rejected that suggestion?

Hon Mr Rae: First of all, since it is the last day, I will not be as mean to the leader of the third party as he has been to me. I am not that kind of guy.

I will say to the honourable member that I would not in my wildest moments, of which I still have one or two, dream of ignoring a suggestion from the honourable member. In particular, I want to say to the honourable member that with respect to expenditures of the government, when it comes to operating expenses, we have restrained those to 2%.

With respect to the question of public sector wage settlements, I can tell the honourable member that we have already started discussions with public sector interests, both on the employer side and the employee side, about the realities of the recession and we have already begun discussions with them about the fact that the picture for 1992-93, in terms of wage settlements, is going to be very different from that of 1991-92. The forecasts for inflation are different and our overall strategies obviously have to reflect that.

Mr Harris: I regret that we have missed a year with that, but I will applaud the move if there is restraint, any time.

Let me tell members another one that I talked about last fall where the private sector was ready, willing and able to co-operate with government to provide both short-term and long-term solutions. On 1 November 1990, I endorsed a proposal by the province's rental housing industry to make 20,000 units available to families presently on social housing waiting lists, enough to virtually eliminate the waiting lists. In addition to helping solve the supply problem in this province, this proposal would have cost taxpayers 75% less than the current cost of government and taxpayer assisted units for those requiring assistance in affording shelter.

Can the Premier tell me, other than the fact that the private sector was involved, why he ignored this suggestion to provide housing units to the needy at 25% of the cost?

Hon Mr Rae: Again, if I can just correct the honourable member, we have not ignored his proposals at all. The suggestion that has come forward from the private sector and the suggestion that has come from the honourable member today—

Mr Harris: Not today; 1 November.

Hon Mr Rae: Well, 1 November when it was made—is one which obviously the Ministry of Housing has looked at and has been examining. We have expanded the rent supplement program to a considerable extent, and if I might add, whenever we have done it, it has been criticized by the Housing critic for the Conservative Party. I would say to the member that we have also taken the road of saying that we want to add to the general supply situation and that is exactly what we are doing. To say that we have ignored these suggestions would not be an accurate statement.

Mr Harris: The record pretty well speaks for itself. All private sector projects, or a lot of them, are being held up. The Premier is offering no shelter subsidies to people to live in them and move into them. Instead, he preferred the government-assisted, government-owned, non-profit at four times the cost. His government's belief in government doing it alone is costing taxpayers billions of dollars. His unwillingness to co-operate with the private sector is costing Ontario thousands of jobs.

On 20 December 1990, I offered a solution for the hundreds, indeed thousands of children who go to school hungry. A year ago, he believed in the need for and the merits of a breakfast program. Why has he not contacted the private sector, which initiated this program, a solution which it says, through volunteers, through private sector contributions, can be provided at no cost to the taxpayer? I raised that on 20 December. I have asked repeatedly why he will not allow the private sector to do what it can do and put a breakfast program in place for hungry children. To date, they have not been contacted. We have no initiative on his part on this. Now that the last day of school is over, why did he ignore that suggestion to provide assistance to hungry children at no cost to the taxpayer?

1500

Hon Mr Rae: Although I do not have time to go through them all, I would say very directly to the honourable member that some of the statements he makes—the statement he made on the minimum wage. What the minister announced today was entirely in keeping with the policies we put forward during the election campaign for a staged implementation of the increases in the minimum wage.

I am very sceptical of someone who comes forward and says, "We can do this for nothing." The reality is that school boards are working on these questions. The question of hunger in schools is one which is of tremendous concern to us.

Mr Harris: I didn't say "nothing." I said at no cost to the taxpayer.

Hon Mr Rae: No cost to the taxpayer. Our experience is that there is no free lunch and there is no free breakfast either. Therefore, the Minister of Education is working with school boards. We are very concerned about the impact hunger is having on our kids. Of course we are trying to respond to it, but do not pretend it can be done free, because it cannot be done free.

Mr Harris: I suggest to the Premier that the only thing that is staged is the rhetoric and the press conferences, with

very little in the way of action. The Premier and the Treasurer keep saying that is not true. I have heard the Treasurer say on 50 occasions, "The opposition never gives us any good ideas." I have given them hundreds of good ideas. I mentioned three today, and they do not listen to them.

Hon Mr Cooke: And only 15% of them have been right.

Mr Harris: If they took 1% of them, they would be better off than they are today.

GARBAGE DISPOSAL

Mr Harris: In today's press release from the Minister of the Environment, she says, "The prospect of having nowhere to dispose of waste is too great a risk to the health, environment and economy of the regions." There is a place where the minister and the regions may be able to dispose of waste. The Kirkland Lake proposal seemed to me to be a commonsense solution endorsed by about 99% of all the mayors and reeves in northeastern Ontario. It would create new jobs in the recycling industry, an industry for which the minister professes her support. Unless more garbage than is generated in all of northern Ontario is available, the economics do not justify the latest in the most available up-to-date technology.

Why did the minister dismiss the Kirkland Lake proposal out of hand, without examining the merits and without permitting a full environmental assessment to proceed on that proposal?

Hon Mrs Grier: Kirkland Lake was one of a number of proposals that were being considered for sites all across the province—not just Kirkland Lake. Kirkland Lake was one; Plympton was another; Marmora was another. We all know where they were. The principle of this government's policies to deal with waste management is that we have to try to dispose of the waste as close as possible to the source of generation. If we do not, we will not get serious about reduction and reuse, which has to be the basis of waste management, resource management, within this province and within our entire society. That was the decision of this government. That was the only environmental decision.

Interjections.

The Speaker: Would the minister take her seat?

Interjections.

The Speaker: Order. I remind the member for Oriole that if any member of the assembly is a cause of disorder, that member may be named by the Speaker.

Mr Harris: Once again I suggest to the minister that we keep seeing her lips moving but we hear the words of the member for St Catharines coming out. The minister has done one flip-flop after another. In her response to my question, she said the most important, number one, top-notch criterion is that it must be as close to the generation as possible. I thought number one was the protection of the environment. I thought we were looking for the safest site that made the most sense for the environment.

Can the minister tell me how proceeding with lifts at Keele and Britannia without an environmental assessment

is more environmentally sound than safely shipping waste to a community that wants it for recycling purposes and is prepared, ready, willing and able to go through a full environmental assessment right now?

Hon Mrs Grier: There seems to be an incredible presumption that the environmental assessment process which was being undertaken for sites in northern Ontario and all across northern Ontario would have turned up Kirkland Lake. There is no guarantee that would have happened, yet the member seems to believe that is the only site the waste could have gone to.

Three members of the third party have now said to me that what they are hearing is what they heard from my predecessor. There are many statements of my predecessor with which I am glad to associate myself, but the solid waste interim steering committee process that led to new greenfield sites under a short-circuited approval process, namely, the Environmental Protection Act, and the shipping of waste to northern Ontario and other parts was nothing that has ever come from my lips. It came fully from the member for St Catharines.

Mr Harris: Subsection 5(3) of the Environmental Assessment Act states:

"An environmental assessment submitted to the minister...shall consist of,

"(a) a description of the purpose of the undertaking;

"(b) a description of and a statement of the rationale for,

"(i) the undertaking,

"(ii) the alternative methods of carrying out the undertaking, and

"(iii) the alternatives to the undertaking."

The Environmental Assessment Act states that all sites have to be considered and the best solution is the one that must be selected. How can the minister rule out sending waste to Kirkland Lake, outside the GTA, when the EA act stipulates that all alternatives must be explored? Would she not agree with me that she is in violation of the Environmental Assessment Act in eliminating a possible solution that may indeed be the most environmentally sensitive? But we will never know unless it is allowed to compete and go up against the Britannia site and the Keele site.

Hon Mrs Grier: I disagree profoundly.

Mr Mahoney: I would like to address my question to the Minister of the Environment as well. Actually, I feel some sympathy for the minister. I am sure, given her background as a municipal politician and her background as a critic of the Environment ministries and ministers in the past, she cannot help but be terribly embarrassed by this turn of events, by the leaked cabinet document that was signed by her that she then dismissed as out of date and irrelevant.

I listened to her yesterday say she will solve the problem. Today we have a statement where she says she is going to require regional governments to undertake detailed studies of the environmental impacts on Britannia and Keele Valley and that she will ensure that the maximum degree of public consultation is carried out through public liaison committees representing communities adjacent

to the two sites. The minister will know we have the mayor of Mississauga and the chairman of Peel here today.

The Speaker: Would the member place his question, please.

1510

Mr Mahoney: What advice would the minister have for Mayor McCallion and Chairman Bean when they attend these public meetings in Britannia, in the community with all of the residents surrounding it, to announce to them that they have not an environmental impact study but an engineering study, which has been bought and paid for, which is sitting here, and ask these people if they will comment on more garbage in their backyard put there by her? She derailed their process when it was well on its way.

The Speaker: Would the member conclude his question, please.

Mr Mahoney: What advice does she have that will help these people deal with the public?

Hon Mrs Grier: The member seems to have lost track of time. The process that was under way that would have found a site in Peel would not have found a site in time to meet the gap.

Interjection.

The Speaker: If the member for Oriole continues to be disruptive, she will leave the Speaker with no alternative but to name her. I ask the member once again to come to order and allow the minister the opportunity to respond.

Hon Mrs Grier: The shortfall in capacity in the region of Peel has been well known for the past several years. The process that was under way would not have addressed that gap and the region of Peel would have found itself, regardless of who was the Minister of the Environment, in March 1992—in fact, they anticipated finding themselves in that situation in September 1990, but we have extended that to March 1992.

The problem exists, and it has to be dealt with. I have dealt with it in the best possible way, given the options open to me. Of course it would have been nice to have had an environmental assessment. The member knows as well as I do that you cannot have an environmental assessment in six months.

Interjection.

The Speaker: Would the member for Halton Centre come to order.

Hon Mrs Grier: If we had started on 1 September we would not have had an environmental assessment completed by March—

Interjection.

The Speaker: Order. Would the minister take her seat, please.

Oh, it is warm in here—no air-conditioning and the humidity is high.

I suspect that the member who asked the question really wanted to hear a response and wanted to place a supplementary within an appropriate time frame.

Mr Mahoney: My supplementary has to do with the fact that people in Britannia were promised in 1977 that it would be a 12-year site. The region of Peel, with respect, was well on its way to living up to that promise, at least coming close. Now it has not got a chance, due to the minister pulling the plug.

On page 3 of the document she released today she talks about the Interim Waste Authority. This is really scary. If the problem of just adding a lift into Britannia is bad, this is really scary. She talks about the Interim Waste Authority Ltd being established to find three landfill sites. "The searches will follow the principles of the environmental assessment process."

I know she has principles, and if we do not like them, she has others. I understand that and I am very concerned. We do not want her just following her fabricated, made-up principles. We want the minister living up to the rules—

The Speaker: And the question, please.

Mr Mahoney: —under the environmental assessment process. Will she ensure that the next dumpsite she is telling the Interim Waste Authority Ltd to find will go under the full process?

Hon Mrs Grier: Yes, I will. As the member knows, we have under way a process for amending the Environmental Assessment Act and finding ways in which the act can be made more effective and more cost-effective and timely. The legislation I will introduce next fall will embody within it the amendments to the Environmental Assessment Act that are contemplated under the EA process and will set out very clearly the environmental assessment process that will be followed for the long-term sites. That is my commitment and the commitment of this government.

Mrs Marland: My question is to the Premier. If this is what the GTA is all about, obviously it should be abolished. The Premier stood on the sites of these landfills during the election and was shown on TV across this province promising those people there would be no expansion to these landfill sites without a full environmental assessment. I ask him today: When he made those statements, was he lying? Was he stupid? Did he not understand the implications of what he—

Interjections.

The Speaker: Order. I ask the House to come to order. I appreciate very much that members have worked extremely hard for many months and they are tired. They attend dutifully every day. I realize that members who do not normally use the vocabulary which I have just heard would not under most circumstances use that vocabulary. I would ask the member if she could rephrase her question.

Mrs Marland: I am not accusing the Premier of lying. I am simply asking him, when he made those promises to the people of Ontario on national TV across this province, was he lying? I am asking him to tell us today what he is going to do with the garbage gap when the people in those municipalities take him to court and issue injunctions and we have two years in court. We will not have a solution to solve this garbage gap. This Premier is responsible—

The Speaker: You have concluded your question.

Hon Mr Rae: I heard the question carefully and I can tell the honourable member that I have known her too long to respond to her question in the spirit in which it was asked. I will have to respond in a slightly different way.

I would say to the honourable member that the situation—
Interjections.

The Speaker: Order. I really do not think having a shouting match is any way to ask questions or to respond to them. If the members of the third party would like to hear an answer, they will have to listen.

Hon Mr Rae: I would say to the honourable member that the situation we faced after 6 September was one of enormous difficulty. If we had carried out the policy of the previous government, we would have faced a situation where we were not simply adding on to existing sites but were in fact building new sites on greenfield land in two places, in the east end of the GTA and the west end of the GTA, without a full EPA and with a similar prospect of challenges in court and so on, and therefore still a substantial gap, a garbage gap left to us by the delays under the previous administration.

Mrs Caplan: That is not true.

Hon Mr Rae: That is true. That is a simple reality. We can show members the numbers and the projections. That is simply the case. Faced with a difficult choice, we have what we feel is the most environmentally sound proposal that can be made in the circumstances we inherited on 6 September.

Mr Cousens: The Premier has put this House into a difficult position where the member for Mississauga South has come close to saying something that she should not say, but she is touching on a nerve that is really part of the trust that got him elected as Premier and his government elected. I cannot think of anything else, and I am leading to this issue of trust, the fundamental—

The Speaker: Is there a question?

Interjections.

1520

Mr Cousens: Oh, come on. If they come along and play the games—we are talking now about why they got elected, and why they got elected has to do with what the Premier said when he was the Leader of the Opposition.

Interjections.

The Speaker: Order. In a moment I will ask the member for Markham to succinctly place a question, but before so doing—would the member take his seat, please.

I spoke earlier to the member for Mississauga South because although that is, quite frankly, a borderline remark, I believe it is in the best interest of the dignity of this House for members not to use the word “lying” in whatever context. If they would please try to avoid that vocabulary, it does nothing to enhance the dignity of our chamber.

Interjections.

The Speaker: Yes, we might very well have to take a break. Would the member for Markham succinctly place a question.

Mr Cousens: What did the Premier say, as Leader of the Opposition, when he was within spitting distance of the garbage dumps, about what he was going to do when and if he was Premier, about those garbage sites?

Hon Mr Rae: I would say to the honourable member, and say it very directly to him, that we were faced with a very difficult choice. I will put the choices to him.

We could have proceeded with the Liberal plan, which would have meant a number of things. First of all, it would have meant building new sites without a proper environmental assessment, greenfield sites. It would have meant enormous uncertainty with respect to other so-called long-term solutions that in our view did not deal with the 3R program.

Instead, what have we done? We have started the most aggressive 3R program anywhere in North America. That is what is going to be under way and that is what we think is going to help us to solve the problem. What we are doing is to continue on that path, faced with enormously difficult choices. There are no easy or magic choices in this area. The minister has made the tough choices that we feel in the circumstances simply have to be made.

FISH AND WILDLIFE MANAGEMENT

Mr Duignan: A number of events in my riding have made me very concerned about the impact of development on some rivers, on the fish habitat in areas in my riding and indeed in the region of Halton. Two rivers come to mind, Sixteen Mile Creek and Bronte Creek. Can the minister explain what steps have been taken to make sure the fish habitat is being protected?

Hon Mr Wildman: This is an important question. As the member will know, the ministry has been involved for some time in the development of the strategic plan for Ontario fisheries, second phase. That highlights the need for greater action to protect fish habitat in the province and restore lakes and rivers to a healthy status through partnership and co-operation with industry, government agencies, client groups and the public. Once the evaluation measures are developed and implemented, we will be looking towards reporting on the health of aquatic ecosystems throughout the province.

Mr Duignan: Could the minister please indicate who is involved in the development of this strategy?

Hon Mr Wildman: There was a very widespread consultation process in the development of SPOF 2. There were 42 groups representing a wide spectrum of opinion: environmental protection groups, industry and development organizations, various ministries of the federal and provincial governments, aboriginal groups, hunters and anglers, tourist outfitters, the fish producers and so on. They all have very strong support for the public consultation process. It was one of the most successful government programs so far and we look forward to developing the SPOF program along the lines that were suggested and the consensus that was reached among these groups.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Mr Offer: On 15 November 1990, when discussing the merits of open government, the Premier was quoted as saying, "I don't see why the public should not get hold of more government information." In the same article, the Chairman of Management Board confirmed that she was actively working on legislation that would guarantee civil servants indemnity if they "blew the whistle" and went public with government information.

For years the NDP have strongly advocated the protection of civil servants' right to divulge information when that is in the best public interest. The most vocal of these was the now Minister of the Environment, particularly when she was defending the rights of employees to divulge information in order to protect the environment.

My question is to the Minister of the Environment. Could she please tell this House if she is committed to the protection of civil servants' rights and what actions she is taking as the Minister of the Environment to ensure these rights will be entrenched?

Hon Mrs Grier: I will refer that question to the Chairman of Management Board.

Hon Ms Lankin: We are completely committed to moving in this direction. I have had people within the Human Resources Secretariat, in combination with the people from the freedom of information and protection of privacy branch of the commission, working on developing some option papers for us to consider.

The member will recall that we released a consultation paper on political activity rights which will involve amendments to the Public Service Act. We had given consideration to whether or not the changes that would bring about whistle-blowing protection should be in the Public Service Act. We are contemplating right now whether it should actually be in the Freedom of Information and Protection of Privacy Act. We are moving forward on it and I hope to have a document I can release for consultation some time later this summer or early fall.

Mr Offer: I am somewhat distressed that the Minister of the Environment would not have seen fit, in terms of her previous commitment, to respond to this question. I am sure the minister will know that a number of senior civil servants are somewhat disgusted at the NDP's cowardice in condemning ministry staff, therein avoiding their own ministerial responsibilities. Right now, there are literally thousands of civil servants who are completely unsure of where they stand with her government.

To compound this rampant confusion, we have been led to believe that as a result of yesterday's cabinet document disclosures, the Minister of the Environment is considering calling for a police investigation to find out the identity of the offending civil servant.

Can the minister commit today to inquiring of the Minister of the Environment why she would even consider calling for a police investigation into this matter? Does her government, does she and does the Minister of the Environment honestly feel that bringing in police is consistent

with the type of whistle-blowing reforms that she so fervently advocates today?

Hon Ms Lankin: At this point, I will not comment on a police matter with respect to cabinet documents. I will say to the member very directly that we are absolutely committed to whistle-blowing protection that will allow civil servants to bring forward information of wrongdoing in government.

We will really look forward to having the comments of the member opposite and of the third party with respect to the consultation paper when we release it. I think there are a number of issues that need to be addressed. In fact, how do you define wrongdoing? How do people have their rights protected? Should the freedom of information branch have a special commission that will deal with that? There are very important issues there.

I will reiterate to the member that we are absolutely committed to bringing this legislation forward, hopefully in the fall session. I invite their comments on the consultation paper.

1530

PURCHASE OF HYDRO PLANT

Mr Jordan: My question is for the Minister of Energy. As the minister knows, 30 June is only three days away. That was the deadline she gave the House for Ontario Hydro to settle the question of purchasing the Smoky Falls power plant from the Spruce Falls Power and Paper Co. Given the minister's commitment to generating power from non-nuclear sources and the fact that a government committee has been working for months to finalize this commitment and during that time the minister has taken control of Ontario Hydro, could she tell the House today what her plans are in the next three days to finalize that deal at Kapuskasing?

Hon Ms Carter: I defer to the Minister of Northern Development.

Hon Miss Martel: It has been my ministry that has had the lead in this all along, so it seems very appropriate to me to be trying to deal with the question. As the member will know, we have been in intensive negotiations with a number of stakeholders in this. At this point in time I am not in a position to release the details to the House.

Mr Eves: I would remind the ministers involved that we are at the 11th hour in these negotiations to save 1,200 jobs. The same government that criticizes other governments for rolling the dice and waiting till the 11th hour is doing the same thing itself.

We heard today from the Minister of the Environment that she is prepared to waive the environmental assessment process with respect to the GTA, yet we have never heard from this government where it stands on Ontario Hydro's committed purchase of the Smoky Falls power plant and the Spruce Falls Power and Paper Co. We have not heard why the government will not allow Ontario Hydro to proceed with its purchase, to assume the responsibility for whatever the ramifications of the environmental assessment process are and save those 1,200 jobs in Kapuskasing. The minister has three more days to do it. She should stand up and do it today.

Hon Miss Martel: I am certainly interested in the support the member has shown for this, but he will know, as I responded to a question from the member from the Liberal Party last week, that we have said we had a proposal we wanted to put forward to all of the stakeholders which would involve a shared risk. We were at that time involved in the negotiations and have continued to look at that, trying to deal with those shareholders so we would all share that risk.

The member also knows—and I will remind him and all the members—that part of that contract was that the deal would go through based on the positive response of the environmental assessment. I would remind the member that the environmental assessment has not occurred.

As I said earlier, in response to the comment from the member who raised the question, we continue with the negotiations. We are very cognizant of the uncertainty in the community. We have been working non-stop on this for many months. He has no idea how much work has gone into it. As soon as we have a response we will be pleased to release it to the public.

ALGOMA STEEL CORP

Mr Martin: Last week I asked the Minister of Municipal Affairs what he was going to do in view of Algoma Steel Corp's inability to pay its taxes to the city of Sault Ste Marie. He assured me there was going to be some action taken. Today we find out that they are also not going to be able to pay their taxes to the municipality of Wawa, which amounts to the sizeable amount of money of \$200,000 now and possibly \$200,000 in September.

What I ask the minister today is, could he give me a status update on the Sault Ste Marie situation and what is he going to do about Wawa?

Hon Mr Cooke: I can indicate to the member that the Ministry of Municipal Affairs is meeting with officials in Wawa today about their situation. As I indicated to the member last week, we were meeting with individuals from Sault Ste Marie. It is my understanding from talking to officials in my ministry that there has been an understanding by the Ministry of Municipal Affairs that Sault Ste Marie will qualify for assistance from the Ministry of Municipal Affairs of approximately the \$3.5-million level from the ministry directly to Sault Ste Marie.

Mr Martin: The same as last week, I would like to know, re Wawa, what kind of time frame we are looking at, because as Sault Ste Marie was in a difficult situation, Wawa is too and would like some assurance that it is going to happen as quickly.

Hon Mr Cooke: We understand the very difficult circumstances and we moved very quickly with Sault Ste Marie. We will be moving just as quickly with Wawa.

DEMOCRATIC PUBLIC ADMINISTRATION CONFERENCE

Mr Bradley: I have a question for the Chairman of Management Board of Cabinet. In response to an Orders and Notices question from the member for Renfrew North, the Chairman of Management Board revealed that the NDP had spent \$15,000 of the taxpayers' money for a

weekend retreat for 52 NDP political staff and others at Glendon College. This is where they would be instructed in learning how to run governments by members of the militant Bennite fringe flown in from London, England, expressly for the education of the minister and her colleagues.

Does the minister, who has expressed grave concern over the wasted expenditures of some of her cabinet colleagues, now share the doubts of many in the community as to the propriety of the expenditure at this time?

Hon Ms Lankin: I am very surprised at the characterization that the member for St Catharines gives to the response I provided. First of all, he indicates that this was some weekend retreat. This was a conference on democracy in government. The characterization he gives to the varied speakers who came to speak to that conference is very unfortunate. He talks about 52 political staff having attended. There were 52 attendees, of whom we listed all of the names in the response. Clearly there are civil servants of all levels as well as political staff in ministers' offices and ministers, myself included, who attended.

In terms of the money that was provided, this was provided as the registration fee and attendance between Cabinet Office and Management Board of Cabinet to participate jointly with York University in the sponsoring of this conference. I think it is entirely an appropriate expenditure. It is one I think serves the province well. I attended the conference myself and found it of tremendous use in terms of the information that was provided and in terms of a number of the people who were involved in the conference from the civil service. The information they have brought back—

The Speaker: Would the minister conclude her remarks.

Hon Ms Lankin: Yes, Mr Speaker, I will conclude my remarks.

The information they have brought back and have included in discussions that we have had about policy development, about consultation, I think has been very helpful and, as I said, it serves the people of the province well.

Mr Bradley: It is interesting to note that while the NDP government rejects that part of the British heritage associated with the Queen, it leapt up to shell out taxpayers' money to learn at the knees of a group which was expelled from the British Labour Party for advocating and pursuing militant and destructive socialism in Britain.

In the order paper response, the minister said the \$15,000 she paid for the seminar covered participation fees for her colleagues and herself. However, I have in my hand the letter of invitation to the event from the organizers, which states that there will not be any registration fee.

Will the minister admit to the House that her government authorized the payment of \$15,000 to subsidize the costs of flying in from England and housing and feeding these representatives of the Bennite fringe?

Hon Ms Lankin: I never have any opposition to answering questions in the House, and I certainly do not mind answering the supplementary although we had run past the time. That is fine, and I appreciate your latitude with the member, Mr Speaker, to allow him to place the

supplementary, particularly because I think it is important to set the record straight.

The conference we are talking about is a conference that was jointly sponsored by York University, the Cabinet Office and Management Board of Cabinet. It is a legitimate academic conference dealing with the issue of democratic public administration. Democratic public administration is not some fringe concept as the member would imply. In fact, government often sponsors conferences of all sorts. In joining together with York University in terms of this particular conference, we indicated that we wanted a large number of people to participate from government, from the civil service, and there were some political staff and ministers, as I said, including myself who attended the conference and who learned greatly.

Given it is the last day, I will give the member a little latitude. He is normally very reasoned and his uncharacteristic behaviour in terms of the characterization of this is understandable. School is almost out.

1540

MINISTER'S OFFICE

Mr Scott: On a point of order, Mr Speaker: It is similar to the one I raised yesterday. I sought to ask the Minister of Community and Social Services to stay while I made the point. I told her what it was about and she ran out. This is the second time the minister has given an undertaking to the House to answer—here she is.

Two days ago, the Minister of Community and Social Services gave an undertaking to answer in question period my questions about the purchase of a rug for her boardroom and other decorations and furnishings purchased to, we understand, a total of slightly under \$120,000.

She was unable to achieve that undertaking yesterday. She undertook to respond in question period today. She did not do so. I believe my privileges have been infringed by the failure of the minister to answer a question in a setting in which an opposition member can ask about it.

The Speaker: There is nothing in the standing orders which would allow the Speaker to compel—

Mr Scott: It has to do with integrity, an undertaking to the House.

The Speaker: Did the member wish to hear my response?

Mr Scott: You are not mad at me, are you?

The Speaker: Who could be upset with you?

There is nothing the Speaker can look to in the standing orders to compel a minister of the crown to respond in the House.

Mrs Caplan: On a point of order, Mr Speaker: You noted that during question period I was quite distressed with some of the behaviour from the government side of the House and was responding to it. I want you to know, Mr Speaker, as I rise on this point of order that it is very difficult for order to be maintained in the House when, as we know, certain words are unacceptable to be used because one should not impute motives.

For a minister to stand in this House and make a commitment and say she is going to do something and then not do it does not serve this House well.

The Speaker: Will the member take her seat.

PETITIONS

LANDFILL SITE

Mrs Marland: I have a petition to the Legislative Assembly of Ontario containing several thousand names. The petition reads as follows:

"I live in the community surrounding the Britannia landfill and I strongly oppose any expansion of the site. I demand the closure of the site no later than 31 December 1991, as promised."

I am happy to add my signature to this petition with several thousand names of concerned citizens.

OATH OF ALLEGIANCE

Mr Jackson: It is my privilege to present in honour of Canada Day this petition bearing several thousand signatures to the Legislature of Ontario:

"Whereas the government of Bob Rae has placed our heritage in danger, and whereas we live in a constitutional monarchy, and whereas the symbol of our national unity and identity has been removed,

"We, the undersigned, petition the Legislature of Ontario as follows:

"To immediately restore the name of Her Majesty the Queen to the oath of allegiance sworn by police officers in Ontario."

I have wholeheartedly supported this resolution and affixed my signature to it.

TAXATION

Mr Brown: I have a petition to the Parliament of Ontario.

"Whereas our Canadian flag, our pride and heritage, is being taxed federally and provincially, but the American flag, the symbol of their pride and heritage, is not being taxed at all, I petition the Parliament of Ontario as follows:

"To remove this unjust tax immediately and release the symbol of our heritage from the bonds of our tax system for Canada's birthday 1991."

NURSING HOMES

Mr Tilson: I wish to present a petition of 143 signatures from my riding of Dufferin-Peel concerning a fear of a deterioration of long-term care in Ontario. I have affixed my name to it.

"Whereas we, the residents, families and staff of Avalon Care Centre, are very concerned about the funding inequities of nursing homes in the province of Ontario;

"Whereas it is our understanding that the government funds homes for the aged at a much higher rate than nursing homes and as a result many nursing homes may face bankruptcy;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows."

CHILD CARE

Mr Jackson: I have petitions signed by 16,000 Ontario residents to the government of Ontario.

"We, the undersigned, request that the Minister of Community and Social Services take immediate action to rectify the further salary inequities announced by her January 31, 1991 for early childhood educators. We believe that the principles of freedom of choice, pay equity and non-discrimination form the backbone of our democratic society. Furthermore, parents who use day care services in this province must retain the right to select the day care of their choice."

That is signed by 16,000 residents and it has my signature of support.

OATH OF ALLEGIANCE

Mrs Sullivan: I have a petition from close to 100 residents of Halton, as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The assembly shall demand that the government of Ontario rescind its decision to eliminate the oath of allegiance to the Queen of Canada for police officers who must uphold laws that are proclaimed in the name of Elizabeth the Second."

I have affixed my signature to this petition and concur with it.

Mr J. Wilson: I have a petition that is signed by a number of residents of the township of Essa and it is also endorsed by the council of the township of Essa through resolution. The petition reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds;

"Whereas the people of Canada are currently facing a constitutional crisis which could potentially result in the breakup of the federation and are in need of unifying symbols;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Ontario's police officers."

I have the pleasure of also affixing my signature to this petition.

HOSPITAL BEDS

Mr Winninger: I have a petition with 34 names affixed to it petitioning the provincial government in connection with the recent bed closings announced at University Hospital in London:

"Whereas University Hospital is one of the province's most expensive hospitals after accounting for the intensity of care, and closing beds will not increase the efficiency of University Hospital and it is unlikely that more money will be forthcoming from the province, therefore, we petition that an investigator be appointed under section 7 of the Public Hospitals Act to review the efficiency of University Hospital operations; to review the services programs of University Hospital in the context of London and south-west Ontario to ensure the least impact on the public; finally, recommending changes to keep University Hospital

within its budget allocation with the least impact on direct patient care and the number of people treated."

NURSING HOMES

Mrs Sullivan: I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to initiate changes in the current conditions in Ontario nursing homes to better provide nurturing care for the inhabitants thereof by: reducing the ratio of care giver-resident from 12 to 1 to 6 to 1 so as to alleviate stress resulting in dealing with chronic, full care people in a limited time frame; to reduce the occurrences of job-related accidents to staff and residents; to nurture a positive attitude in present depressing atmosphere; improved training methods for new health care aids; use fewer registered nursing assistants for nursing services to prevent the possibility of mistaken administration of medicine.

"Whereas we, the undersigned, feel that the holistic needs of residents of nursing homes are not being met chiefly because of the denial of the government to meet the funding requirements of the nursing home establishments. This denial has resulted in severe staffing shortages causing decreased time allotted for residents, increased stress on both care giver and recipient, and increased the possibility of injury to both parties. In day care the ratio of child to care giver is 5 to 1. In some nursing homes the ratio is sometimes as high as 12 to 1 for chronic, full-care people. Because of this we feel justified in presenting this petition to compel the government of Ontario to more closely examine its reasons for the restriction in funding it has placed in this area."

I have attached my name to this petition.

1550

SOCIAL SERVICES

Mr Jackson: This is a petition to the government of Ontario:

"We, the undersigned, petition the government as follows:

"Yes, I demand that the Rae government act immediately to introduce a social work act for Ontario. Without this urgently needed legislation, every member of the public in Ontario, including those most vulnerable and disenfranchised, remains at enormous and unnecessary risk.

"Mr Rae, your government must act now. Building a strong Ontario for tomorrow is dependent on protecting the children and families of today."

I support a social worker act for Ontario, as do the several hundred names, and I have affixed my signature of support as well.

REPORT BY COMMITTEE

STANDING COMMITTEE ON FINANCE
AND ECONOMIC AFFAIRS

Mr Wiseman from the standing committee on finance and economic affairs presented the committee's report and moved its adoption.

Mr Wiseman: This report is on cross-border shopping. I would like to thank all the members of the committee for their participation and diligent work in bringing it

forward. I would also like to thank the researchers, Anne Anderson and David Rampersad, for their hard work. I would like to read just one section of this report to the House.

"The committee heard from 18 witnesses. Following briefings by the Ministry of Industry, Trade and Technology, the Minister of Revenue and her senior officials, the Ministry of Agriculture and Food and staff from the legislative research service, a wide variety of experts and interested parties made presentations to the committee to state their concerns and present the results of their studies. Every effort was made to include representation from as many sectors as possible, including retailers, distributors, consumers, the dairy industry and the Liquor Control Board of Ontario, as well as consultants in the field. The committee is appreciative of the thoughtful and eloquent testimony of the witnesses, and would like to thank those who took the time and so generously shared their concerns and expertise with the committee."

On motion by Mr Wiseman, the debate was adjourned.

INTRODUCTION OF BILL

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY STATUTE LAW AMENDMENT ACT, 1991

LOI DE 1991 MODIFIANT DES LOIS RELATIVES À L'ACCÈS À L'INFORMATION ET LA PROTECTION DE LA VIE PRIVÉE

Ms Lankin moved first reading of Bill 136, An Act to amend certain Acts relating to Freedom of Information and Protection of Privacy.

M^{me} Lankin propose la première lecture du projet de loi 136, Loi portant modification de certaines lois relatives à l'accès à l'information et la protection de la vie privée.

Motion agreed to.

La motion est adoptée.

Hon Ms Lankin: Very briefly, I would like to inform the House that this is a technical amendment to the legislation. The main purpose of the bill is to provide for the Ministry of Labour to receive confidential information from the federal Hazardous Materials Information Review Commission about hazardous materials in the workplace.

There is a review of the Freedom of Information and Protection of Privacy Act ongoing by committee. This will not at all interfere with that work and the review of the committee. But it is a technical exemption we need to have brought in at this point in order that the workplace hazardous materials information system regulations in Ontario can be effective and that the Ministry of Labour can receive information and have information about trade secrets with respect to chemicals and those sorts of things held by the federal government.

1557

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT SANCTION ROYALE

Hon Mr Alexander: Pray be seated.

The Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Clerk Assistant and Clerk of Committees: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 25, An Act to amend the Planning Act, 1983 and the Land Titles Act.

Bill 30, An Act to amend the Education Act.

Bill 36, An Act to amend certain Acts respecting Assessment.

Bill 66, An Act to amend the Police Services Act, 1990.

Projet de loi 66, Loi portant modification de la Loi de 1990 sur les services policiers.

Bill 79, An Act to amend the Gasoline Tax Act in respect of Liability for Tax on Transfers of Gasoline, Aviation Fuel or Propane.

Projet de loi 79, Loi portant modification de la Loi de la taxe sur l'essence concernant l'assujettissement à la taxe lors de transferts d'essence, de carburant aviation ou de propane.

Bill 82, An Act to establish the Treasury Board.

Projet de loi 82, Loi créant le Conseil du Trésor.

Bill 122, An Act to amend certain Acts related to Municipalities.

Projet de loi 122, Loi portant modification de certaines lois concernant les municipalités.

Bill Pr11, An Act to revive The Big Sisters Organization of The Regional Municipality of Sudbury.

Bill Pr13, An Act respecting South Ottawa Services Foundation, Inc.

Bill Pr31, An Act respecting the City of Ottawa.

Bill Pr33, An Act respecting the City of Toronto.

Bill Pr34, An Act respecting the City of Toronto.

Bill Pr42, An Act to revive Magnum International Productions Inc.

Bill Pr50, An Act respecting the City of Toronto.

Bill Pr63, An Act respecting the City of Ottawa.

Bill Pr65, An Act to revive Multimobile Corporation Limited.

Bill Pr69, An Act to revive The May Court Club of Oakville.

Bill Pr70, An Act respecting The Royal Conservatory of Music.

Bill Pr71, An Act respecting The London Foundation.

Bill Pr75, An Act respecting the City of Chatham.

Bill Pr77, An Act respecting The Corporation of the Township of Chandos.

Bill Pr82, An Act respecting the Town of Oakville.

Clerk of the House: In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, Son Honneur le lieutenant-gouverneur sanctionne ces projets de loi.

HONOURABLE LINCOLN ALEXANDER

Hon Mr Rae: Your Honour, I wonder if I might be permitted to say a few words. I know the leaders of the other parties will want to as well. We have had occasion and we will have occasion in more informal moments to pay our respects to you. I think I have done so three times already and I look forward to doing so on many more occasions before September.

I simply want to say to you, Your Honour, that you have served Her Majesty and the people of the province with enormous distinction. This is a day for us of mixed emotions, because we know that in your heart of hearts, and certainly in your good wife's, this is a moment at which you would like to perhaps have a little more time for yourself and your family.

It has been my pleasure to know a great many people in public life and a great many people who have served the public, but I cannot think of anyone who has served the public, the people of the province and Her Majesty with more distinction, with more grace, with more courtesy and with more kindness to the people of the province. We are honoured that you acceded to the request made many years ago to fulfil the responsibilities of Lieutenant Governor. It is with great pride that I express on behalf of the government our very best wishes to you. We express to you our gratitude for what you have done and how much we are looking forward to your continued public service for the future of the province.

A little less formally, I would also say to Your Honour that you have always displayed enormous humour, great humanity and great kindness. Our careers have crossed on a number of occasions, or our paths have crossed. We have never crossed swords. I have come to admire you a great deal when you and I were both private members in opposition to the government of the day in 1978, when you became a minister of the crown, when you went on to become, through circumstances I will not dwell on, the chairman of the Workers' Compensation Board and then on to serve the public as Lieutenant Governor.

You have always done so with great dignity and kindness. I do not know anybody in politics who has more friends on all sides of the various Houses that you have served in than you do. As we all know, this is a business in which it is important to remember one's friends over time and important always to cultivate friendship that crosses party lines.

Sir, I want to express our deep gratitude as a government for your distinction, for your kindness and for your service and to say we wish you well.

Mr Nixon: It is my great pleasure to express similar views from the official opposition and to thank you, sir, for your unfailing good humour and dignity as you carried out your duties over these many years. My connection with you, as you may recall, goes back a good long time to when we both attended McMaster University. In 1946 I, as a freshman, was admiring you from a distance because you were the football hero and I could not make the cheering squad.

You went on, as all members of this House will know, from one success to another, both in your career as a lawyer

and in politics, and ending in what I consider to be a role of high service as the Lieutenant Governor of Ontario. I, on the other hand, have struggled mightily to keep my nose above water as I have looked at you with admiration.

Having served with you, in a sense, as a minister of the crown and in opposition over these years, I have been particularly impressed with your good humour and the way you can relate to the residents of Ontario and the citizens of Canada wherever you meet them in many small communities of the type that I represent as well as in the height of high fashion in the big cities, where you have been able to distinguish yourself with your usual charm and knowledge.

This is an important occasion for us as you are winding down your career in this aspect, but I know that your record of public service will be admired for many years and I know that your involvement in the community with your wife and family will be something we will continue to admire as you go forward in good health and continued service.

Mr Harris: Your Honour, this is one of those rare times in political life when all members of this assembly speak with one united voice on behalf of the people of Ontario. It is something that does not happen quite as often as I know we would all like.

Today we do so with pride, with passion and with conviction in paying tribute to our friend, our patron, the Lieutenant Governor of Ontario, the Honourable Lincoln Alexander, who will, however, in accordance with his often-stated wishes to me and to others, be referred to throughout the remainder of my remarks as Linc.

It is without any acrimony or any partisanship whatsoever but rather as a gentle reminder that I deliberately begin with a reference to unity, for that is what the monarchy, as embodied by the Lieutenant Governor, with all its traditions, with all its values and with all its authority, means to me. Above and beyond its constitutional or legal implications, the monarchy symbolizes something greater than elected officials, greater than parliaments, greater than premiers, greater than the Prime Minister. It is permanent, it is apolitical and it represents the people, because with all its regal pomp and circumstance it is a unifying symbol for all of us through our allegiance and rights of citizenship. The monarchy, the Queen and the Lieutenant Governorship are essential components to our Canadian identity and to our national sense of destiny.

We are therefore privileged and humbled as Canadians to have been honoured by the distinguished service that has been freely given in this regard by our friend Linc. As a Canadian, as a parliamentarian, as our Queen's representative since 1985, Linc's legacy of accomplishment is nothing but remarkable. He served his country during the Second World War as a corporal in the Royal Canadian Air Force, joining in 1942 at the age of 20. While stationed in Vancouver, for example, Linc got his first taste of adult discrimination when he was refused service in a downtown tavern because of the colour of his skin. Typically, he did not let that incident pass without standing up for what he knew was right.

In 1946, he met a beautiful young woman by the name of Yvonne Harrison whom he married in 1948 and with whom he is still in love. I am delighted to note that their wonderful marriage has flourished for more than 42 years, a milestone that many in this House will know has special meaning for me and my party.

Family has always been important to Linc. He attributes much of his success to Yvonne, and before her, to his mother, Mae Rose, who believed that education was the route to a better future. That conviction is one that Linc has relayed to many others across this country and more recently, as Lieutenant Governor, to so many young people across this province. Linc's one regret with respect to his education was that his mother did not live to see him graduate from university. I am sure she knows and I am sure she is proud.

1610

After receiving his BA in 1949, Linc applied for a sales position, for which he was qualified, with Stelco in his beloved Hamilton, only to be turned down after being told customers would not want to deal with a black person. Rightfully angered, he channelled his frustration in a positive way, returning to the classroom to pursue studies in law. Again he excelled, returned to the community to practise law and later decided to pursue life in public service, something I understand he was encouraged to do in a very active way by the late Right Honourable John Diefenbaker.

In reviewing Linc's record of public service for these remarks today, I found a news article which reported a similar message by Linc to a black history conference in Toronto in 1979. He said, "You can hold all the meetings among yourselves and carry banners on the street corners, but if you don't become involved at the municipal, at the provincial, at the federal levels of government, you are practically whistling in the dark." Linc got involved as a Progressive Conservative back in 1965. He ran and he lost, something many of us on this side of the House have some understanding of these days. But this, I believe, should be an inspiration to all politicians in all parties because he got right back up on his feet.

Three years later he won the first of five successive elections in Hamilton West, going on to serve as the member of Parliament for Hamilton West until 1980. The 1968 victory was particularly impressive, according to news reports, because Linc was the only Tory to withstand Trudeaumania in the Liberal sweep of the Golden Horseshoe from Oshawa to Niagara Falls.

He later served, as the Premier mentioned, as Minister of Labour in a Progressive Conservative government where he tabled, among other things, a law that would have given the government the power to order a 20-day cooling-off period before public service unions could begin a legal strike. Once again, Linc was a man ahead of the times and leading the way, acting, I suggest, in fine Progressive Conservative fashion.

In 1980 Linc made what he has described as one of his most difficult decisions by accepting an appointment from Premier Bill Davis to head up the Workers' Compensation Board. Having put more than 12 years into serving the people of Hamilton and Canada in the House of Commons,

Linc knew this would be yet another turning point of his career. One advantage of which he made no secret would be that it would allow him to be closer to Yvonne and to his family in Hamilton.

It was during this period in his career that I first made personal acquaintance with Linc. As WCB chairman he had a hands-on approach to management. On occasion he travelled to North Bay where he would entertain complaints and suggestions from the newly elected MPP for Nipissing. I can tell this House that in this important capacity Linc was always available, always accessible. That was a tradition that he carried into his new job as Lieutenant Governor.

Linc's 1985 appointment by Prime Minister Brian Mulroney was hailed by the media and by the people alike from all corners of this province. It is a tribute to Linc that while it may have seemed impossible at the time, he went on, I believe, to exceed our high expectations in every way in terms of carrying out his duties.

He told reporters at the time: "My father was a railroad porter, because that was as far as he could go because he was black. My mother was a maid, because that was as far as she could go because she was black. But here it is now 1985, and Lincoln Alexander has the confidence of the Prime Minister of Canada." Those were his words on accepting the appointment.

Today it is 1991. I am honoured and privileged to stand in my place to tell Lincoln Alexander that he indeed has the confidence of us all. I believe it is worth noting at this point that Linc's legacy of accomplishment is noteworthy because of the trails he has blazed.

When he was asked during one election campaign if colour was an advantage to him politically, Linc said, "What colour are you talking about?" On that note, I thought I would conclude today by relating some of the other Lincisms I came across in preparing my notes.

On the day of his Lieutenant Governor's appointment he said: "I am what you'd call—I don't want to brag—a street person. In Hamilton it's Linc, and that means everybody calls me Linc. Now all of a sudden it's Your Honour. Well, we're going to have to see about that." When caught by a photographer in 1969 dancing up a storm with a young woman at a Young Progressive Conservative event he explained, "Got to keep in touch with the youth."

On Canada, Linc is a fierce patriot who believes in this country and in what it has to offer. He said: "You still have some racists around here and they're to the right of Genghis Khan, but this is not a racist country. Anybody who says this is a racist country is whistling Dixie. This is one of the greatest countries in the world. This country is steeped in justice, freedom, tolerance and compassion. It's not perfect, but you show me a country that's better." One of my favourite lines is Linc saying, upon his impending retirement this September, that he was looking forward to finally being able to have a chance to speak his mind.

Your Honour, I am proud to thank you today on behalf of my colleagues and our party for your many years of service, for doing your part to make this country one of the greatest in the world and for always speaking your mind. We thank your wife, Yvonne, your son and your daughter-in-law,

Keith and Joyce, and your granddaughter, Erika, for sharing husband, father and grandfather with all of us. Thank you, good luck and God bless you, Linc.

1620

Hon Mr Alexander: Pray be seated. We will do away with the formalities at this particular time.

Mr Premier, Mr Speaker, the honourable member for Brant-Haldimand, the honourable member for Nipissing, honourable ministers, honourable members: First let me say how delighted I am to see so many in the House. I remember in the good old days I would have been gone by now; but out of respect for the House and for my appearance, I guess, you are still here.

I understand you are not supposed to read when you are in the House, but I hope you will allow me that liberty at this particular time. This is a very important occasion for me and I do not want to be misquoted or misunderstood.

I appreciate very much the opportunity to address all of you assembled. The sentiments expressed by all speakers are all too generous, but I am deeply touched by their sincerity. In allowing me to speak, I realize that this is yet another great milestone in my life which will never be forgotten.

On 20 September 1985 I said I was excited, nervous and elated, but today I am still excited, nervous and elated, particularly after hearing those accolades. But as well there is a feeling of sadness, because I now realize that time is running out and that 20 September brings about the termination of my role as Lieutenant Governor of the province of Ontario.

Let me say that to be one of Her Majesty's representatives in this great country is an exciting, rewarding and humbling experience. No greater honour can be bestowed upon one. I have travelled a lot, I have seen a lot, I have learned a lot and I believe I know more about this great province and its people.

I have tried to remove any remaining mystique of this office. I have tried my best to take the office to the people throughout Ontario. I have tried to be a dignified populist, whatever that may mean, and I have tried my best to make sure that my successor will have an office which he or she can be proud of.

The standards set by the Honourable Pauline McGibbon and the Honourable John Black Aird were very high indeed and I hope history will reveal that I at least met those standards. My staff, aides-de-camp and key hostesses have been most helpful in this regard, and I thank them for their hard work, dedication, commitment and loyalty. They have certainly made a difference.

It is necessary to single out others at this time, and I say with pride that I am deeply indebted to all who have been associated with me in the Ministry of Government Services, the legislative service, assembly services, broadcast and recording services, the office of protocol, government garage, the Ministry of Natural Resources, the Lieutenant Governor Board of Review and the office of the Clerk. Because of their interest in and concern about this office, in my view the office has been able to be productive, efficient and effective.

My wife and I will never forget the warmth, friendliness and courtesies extended by the people of Ontario, all of which encouraged and inspired us.

Many of you, in order to assess my performance, would be interested in statistics; therefore I now give you some. To date I have made 672 visits or revisits to cities, towns and villages outside of Toronto. There have been 675 receptions in my suite for some 76,000 guests. I have accepted over 4,000 engagements throughout the province. I have visited some 230 schools and I have shaken over 240,000 hands. I must say that being the Lieutenant Governor is an unforgettable experience, but it is most demanding.

In closing, I want to thank all members of the House for the co-operation given and the interest expressed in many ways in the Office of the Lieutenant Governor. I am singularly honoured to stand here as Her Majesty's representative in and for the province of Ontario and extend to each and every one of you every best wish. May God continue to watch over and bless you and guide you in your deliberations. Thank you.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

ORDERS OF THE DAY

COMMITTEE SITTINGS

Miss Martel moved resolution 23:

That the following committees be authorized to meet during the summer adjournment in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the Assembly to examine and inquire into the following matters:

Select committee on Ontario in Confederation to consider matters related to Ontario in Confederation;

Special committee on the parliamentary precinct to consider matters related to the restoration of the Parliament building;

Standing committee on administration of justice to consider Bill 115, An Act to amend the Retail Business Holidays Act and the Employment Standards Act in respect of the opening of retail business establishments and employment in them;

Standing committee on finance and economic affairs to consider matters related to the provincial budget;

Standing committee on general government to consider Bill 121, An Act to revise the Law related to Residential Rent Regulation, and a matter designated pursuant to standing order 123 relating to the closure of land registry offices;

Standing committee on government agencies to consider the operation of certain agencies, boards and commissions of the government of Ontario, and intended appointments as provided in its terms of reference;

Subcommittee of the standing committee on the Legislative Assembly to adjourn to Orlando, Florida, to attend the annual meeting of the National Conference of State Legislatures;

Subcommittee of the standing committee on public accounts to adjourn to Winnipeg, Manitoba, to attend the annual meeting of the Canadian Council of Public Accounts

Committees and a subcommittee to adjourn from place to place in the United States for the purpose of reviewing section 3.13 of the 1990 annual report of the Provincial Auditor;

Standing committee on resources development to consider Bill 70, An Act to amend the Employment Standards Act to provide for an employee wage protection program and to make certain other amendments;

Standing committee on social development to consider Bills 43 to 64 inclusive related to the regulation of health professions.

Motion agreed to.

Miss Martel moved resolution 24:

That with the agreement of the House leaders and the whips of each party, committees may meet during the summer adjournment at times other than those specified in the schedule tabled today with the Clerk of the Assembly to consider matters referred to them by the House or to consider matters designated pursuant to standing order 123.

Motion agreed to.

COMMITTEE REPORTS

Miss Martel moved resolution 25:

That committees be authorized to release their reports during the summer adjournment by depositing a copy of any report with the Clerk of the Assembly, and upon the resumption of the meetings of the House, the Chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

Motion agreed to.

SELECT COMMITTEE ON ONTARIO IN CONFEDERATION

Miss Martel moved resolution 26:

That the order of the House of Thursday 20 December 1990 appointing the select committee on Ontario in Confederation be amended by striking out "June 27, 1991" and substituting "November 25, 1991" therefor.

Motion agreed to.

INTERIM SUPPLY

Mr Laughren moved resolution 21:

That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing 1 August 1991 and ending 31 October 1991, such payments to be charged to the proper appropriation following the voting of supply.

Hon Mr Rae: We are all looking at each other and waiting for "After you, Alphonse." It is my understanding that after we move this motion, there will be a Conservative speaker, the Leader of the Opposition will speak and then I will speak briefly. I hope we can reach some agreement on time.

Mr Harris: At this very moment the member for Etobicoke West is back, ready, hot with prepared remarks and up to date as of this very second. I would encourage members to listen to his remarks at this time.

Mr Stockwell: My comments will be directed specifically to the budget, the announcements of the deficit, the debt and exactly where this province is heading in the next little while.

I had some very serious concerns on that date, 29 April, when the announcement was made by the Treasurer that he was throwing this province into what I consider to be a very uncomfortable, horrendous position with respect to the finances, the projected financial failure and the concerns the people of the province have brought forward.

Members will note that today there was the display of a large magnitude of people who wanted to vent their frustrations against this government. It was specifically aimed at the one bit of work they did this session, which was basically the budget. Their great concern was the \$9.7-billion deficit and the potential \$35-billion debt they will be applying over the next four years.

This has been an ongoing debate and an ongoing issue in the province for the past couple of months. I suppose many people felt that when a budget is released, it usually gets a few days of press and publicity and that any comments made after that are generally buried in the back pages. What I think is very interesting about this is that the press has carried it forward and has carried on at great length about how wrong is the direction this government is taking.

1630

There is much debate about the public hearings that are to take place over the summer. I think this is a very healthy thing the government has agreed to, through much cajoling from us, the opposition. I think it is a very healthy attitude to take, to hear from the people across this province exactly what they think of the NDP's fiscal policy. I encourage as many members across the floor as possible to attend as many meetings as they can, because I think they will get a very large and healthy dose of reality.

The suggestion is always made in this House that the government is speaking for the people and speaking for the people who are least capable of speaking for themselves. I have no debate with that argument. I believe that in the past they have spoken for these people and, in my opinion, have represented them very well. But—and very clearly there is a big "but" here—there must be some room in the government for input from the business community, for input from the taxpayers and for input from the great unwashed. The great unwashed feel very oppressed today by this government which has instituted a fiscal policy and financial initiatives that will do nothing to create jobs, that will do nothing to retrain, re-educate and bring us forward in the next few years to rally our way out of this recession.

There is minor debate on very few of the points of their budget. Occasionally some lost soul, as was suggested earlier, comes out and barks some illogical bit of knowledge about what a responsible budget it was, but on the whole the people in the business community, the taxpayers and the citizens of this province have come out in near unanimity and said that this budget is not good, that it is not an acceptable fiscal policy and that it is not something they are prepared to live with.

Now the government is going to trot out a couple of party lines about Galbraith and a few others who have said it is the way to go. It is simply not the case. I think the poll in the *Toronto Star* this morning and the poll that Gallup brought forward this morning were very clear indicators this government is falling in popular opinion, some 21 or 22 points in the last few months. Their federal counterparts are falling at the same rate, due to the economic decision-making at this level. There is no question about it. The direct link has been made by all polling companies that have done this. The decisions this government is making are directly affecting its federal counterparts. Clearly a message must be sent to this government. The message is it must rethink its fiscal policies; it must rethink its fiscal plans.

An announcement was made today about an increase in the minimum wage. During that discussion there was much argument about how this would serve the public. There was a study just released, I believe, by two universities in this country that suggested that if the minimum wage according to the Agenda for People, the government's recommendation, was adopted, 53,000 jobs would be lost. Does the government really intend, when it makes these kinds of wide-ranging decisions, to make 53,000 people lose their jobs? I think not.

This government is slightly misguided, totally inept, as we have seen over the last session, and has left this province in the very precarious situation of having to dig its way out of one of the worst financial holes, which it will be in within four years.

I will say again, as I have said in the past, that this government is caught on the horns of a dilemma. The dilemma is that it wrote the Agenda for People and it is incapable of implementing it. It wants to appeal to its rank-and-file members and it is incapable of doing that without doing serious harm to this province.

I project this to be a one-term government. I project this to be a government that will be racked with scandal, which we have seen in the past, and racked with hate—basically I cannot say it any other way—from the community with respect to its financial attitudes and its fiscal positions.

I honestly believe the crowd out there today was very upset. There were quite a number of them. It is unusual to see such a large crowd when there is really no direct benefit in appearing. You could almost see the doctors coming out when you were talking about their salaries, or the nurses coming out when you were talking about their salaries, or certain interest groups coming out when you were talking about their salaries, but there was no direct benefit to those thousands and thousands of Ontarians who showed up today. They were simply there to state that the policies of this government were misguided, that the policies of this government are unachievable and will drive us into economic ruin. I think they were very clear, and they are very, very upset out there, bordering on hate.

In closing, this session will be remembered, I suppose, for the budget itself and probably to some degree for the antics of the cabinet ministers who sit in this government. I would only say that I think it is all very clear and on the public agenda exactly where the socialists in Ontario have

gone. They have gone from the holier-than-thou, sanctimonious group of angels we knew in opposition—and know in opposition at every local council meeting, in every neighbourhood and in every part of the province—to a blundering government that is economically ruining Ontario.

The Deputy Speaker: I would like to indicate the presence in the west gallery of the former member for Oakville South, Doug Carrothers.

Mr Nixon: I am glad to join in this debate as the session winds down. The Premier came over and mentioned to me as he was leaving the chamber that he was going to be speaking on behalf of the government and that I should keep going until he returned, so if anybody has the feeling I am presuming on his time unduly, I am innocent, as always.

I was interested to hear the honourable member who just spoke refer to the large crowd of disaffected business persons gathered on the lawn. The numbers have been variously estimated at something over 5,000. In the NDP press it is perhaps 500, but as I was looking out the window from my office it was a very large group indeed. I was keeping tabs on the windows of the Premier's office so that if anything untoward occurred I would, with my Polaroid, get him in the act.

Members may have noticed I did not go out to represent the Liberal Party, although I would like to have, but the pressure of other responsibilities kept me in my place. I remembered that the last occasion when the business community demonstrated on the lawn of Queen's Park about a month ago, I received an even more unwelcome reception than the hated Treasurer of Ontario. I was just thinking it was probably wise of me as interim leader to ask my colleague the honourable member for Wilson Heights to go out. I suggested he might even attend the rally in his Mercedes so that the people out there would know they had someone who was thinking at the same level as themselves.

I was also thinking of the many occasions over more than 29 years when I have gone out in front of the building here to meet disaffected citizens. I cannot recall an occasion except one where I was well received. I am not sure what the lesson there is, other than that it does not matter from my point of view whether I am in opposition or government; I always seem to be on the wrong side of something when I am presenting myself to the public.

The one occasion, the members will be interested to know, when it was a pleasure was when the farmers were not marching on Queen's Park; they came in their tractors. I had carefully seen that as I left the farm I did not clean up for the city too much and they recognized me as one of their own, as we discussed the depredations of the then Progressive Conservative government on the farming community. It had driven them into the recession from which they have yet to recover.

I do not want to dwell on that, as I really feel it is somewhat inappropriate for me to spend a lot of time talking about the economy of Ontario. I have done that in the past with great effect, as the honourable members will recall; not that it changed anything, but it got some things off my own chest, off my own mind, usually of a critical

nature. But for a few brief months, as it seemed, I was defending the policies of the government and in a sense the process continues.

1640

I just want to say something about the demonstration in front this morning, because there was a very large one and it clearly indicated that this segment of the community has no confidence in the NDP government. Obviously, that is not much of a surprise. Certainly during previous times, when I was received sometimes with almost obscene aggression, it was because the people had been bused in from the union centres of Hamilton and Oshawa and I had a chance to hear their clearly expressed views on those occasions. If there is a message here it is that everybody has a right to these demonstrations and a responsibility to put his point over strongly. People listen to those and do the best they can to respond in a fair and equitable way.

I can recall the former member for Brant, my sainted father, talking about back in the 1930s when the demonstrations were perhaps even more serious than the one we were observing this morning. On one occasion he recalled, I believe in 1935, just after the government had changed on that occasion, that the whole of the front lawn of the Parliament Building was full right down to College Street, but this was before they had the benefit of effective amplifying systems. While there were a couple of speeches made, no one could hear, but people were just standing in silence because in those days there was no medicare, there certainly was no public housing, and the parents were in a situation where they could not find the wherewithal to even put shoes on the children so they could go to school.

While we may feel, correctly, in the values we understand and the balances and checkpoints we understand, that this recession is cruel and in many respects unusual, that it comes from bad decisions made in Ottawa and that it is deeper and more affected by bad decisions and inadequate decisions made by the present government of Ontario, still it is necessary to keep some balance and realize that over the years since then, governments of all political philosophies have established programs in this province and in this nation for which we are very proud and thankful and for which the taxpayers must pay. There is simply no alternative to that.

While I could expound on my theories of deficit financing, and many of you know those, still the fact remains that the community properly demands the kind of superior education we are used to and the best medical services in the world. We criticize them but we know basically that they are unexceeded in their breadth and quality, that the people demand opportunities for their families and for themselves to participate in an economy which really we are proud of.

I was interested to read in the 1 July edition of Maclean's magazine an interesting assessment made by the United Nations which said that Canada was—it grieves me to say it—the second best place in the world in which to live on the basis of the provision by governments of basic services—education, health, transportation—and a buoyancy in an economy that gave people an independent opportunity to live their lives as individuals should. Surely

our aim here is to provide for the realization of the qualities of individuals through education, through good health, through good housing and through an understanding of their responsibilities in their own village and in the global village.

It is in this regard that I suppose we have to look even further. As the debate rages across the well of this House about how inappropriate the decisions were of the previous government and the previous previous government, but more particularly the present government, from time to time we have to step back and look at the world as a global village and see how marvellously fortunate we are, not for what we as members have accomplished, although we continue to undertake accomplishments and have goals that are commendable, but for what has been done by people who were here before us, and in municipal government and in federal government.

I think it is important for us to do that from time to time, particularly as we feel more and more that the centre of the universe is right here and that our own speeches and statements and interjections are the things upon which the balance of life depends. All of those are of uniformly high quality.

Hon Mr Cooke: Why did you look at Elinor when you said that?

Mr Nixon: I was looking at both my good friends because their interjections and comments in here are of uniformly high quality, we would all agree. I will ask for a show of hands later.

Without getting too preachy about these things, on an occasion like this we have to, I believe, recognize the advantages we have here. We have these tremendous challenges which, as we look back over our years of service, tend to be as tough now as they ever were, or perhaps are tougher.

When we see the difficulties that our nation faces and the goodwill that comes out of here as we try to encourage ourselves and particularly our electorate to think positively and generously about our fellow Canadians, whether in Quebec or Prince Edward Island or Alberta or wherever we realize that goodwill may not be enough. There has to be a good deal of hard work and, I suppose, good luck.

More than anything else, it is the generosity of spirit which has been exhibited by Canadians over the years which will carry us forward into a re-Confederation. I am not totally convinced that generosity of spirit exists in the quality now that it has in the past. There is a tendency for older politicians or older anybody to feel that somehow there has been a minor disintegration of the things they think are important. I would be prepared to debate with any member of the House the qualities of generosity of this type and the setting aside of mindless prejudice now compared with, for example, when I was first elected in 1962. We have had lots of controversy over those times, but there has not been what I detect as a rejection of this generous spirit that has characterized Canadians in general in our historic past.

I will relieve you, Mr Speaker, by saying I am not going to dwell on that subject because you have heard me talk about it on more than one occasion.

There is a great challenge there. We all support the Premier, who must be our principal spokesperson in this regard over the next few months. We wish him well and we are going to be supporting whatever is useful in restructuring our Confederation and seeing that it is going to go forward with something better than just a few Band-Aids plastered on it.

I was interested in thinking about comments made by the present Minister of Health, attributed to her at least. I think the words used many months ago were that she regretted the place was not kinder and gentler.

Interjection.

Mr Nixon: She disclaims that, so it must have been the former Minister of Health, a well-known kind and gentle person.

Hon Mr Pouliot: She never said that.

Mr Nixon: It must have been President Bush.

I have seen the former Minister of Health in action, and she sort of goes for violence and mayhem, but in any case all of us have observed this particular Legislature over the last few months—I would not say degenerate; I do not believe that, I do not feel that—getting into the sorts of exchanges which are acrimonious, which are rather tough and which challenge the Speaker to maintain some sort of order and some reasonableness.

I do not think we should regret this unduly, but as interim leader, as do all members, I get mail from people saying, "You're acting like silly schoolchildren," and so on. Actually, schoolchildren are usually not quite as silly as this place gets sometimes. But why should we judge? I do not think the motives of any us should be or can be questioned. Looking back on the history of this particular chamber, certainly it has not changed very much, both in my experience and in what you read about how debates were carried on and settled even in the more distant and historic past.

1650

As a matter of fact, there is one account of the Legislature of Ontario, meeting even before this building was in place, when the debates got so raucous, particularly after dinner—not putting too fine a point on it—when the minister and a couple of opposition members would actually gather with the Clerk of the House around the table and write the legislation, since there was so much hullabaloo and what we call inattention that it was not possible to proceed with the business in any other way.

Many of the members will be glad to see that the Premier is back in his place. I will return to my carefully prepared notes and deal with the matters I wanted to bring to his attention. Actually, I have just about completed those things.

There is a lot of criticism that comes to us, particularly now that a surprisingly large number of our constituents watch this continuing soap opera saga. They no doubt have certain favourites and certain people with other designations. I get letters from people who say I talk too much and

things like that. The Premier probably gets nothing but good letters. I do not know whether he looks at them all. You discount them and you say, "My God, this is really terrible." Still, it is good to hear from those people out there because they are interested in what is going on here. They come to know us and know our views and our capabilities and our responses to the issues.

My observation over these years is that the House responds more and more sensitively to the needs of the community. What could be better than that? Surely that is what we are here for. Every now and then we must stand up and reflect our own views, even though the folks back in South Dumfries township or Burford township may think we are making a glaring error. If we try to keep our fingers on the pulse of every change in opinion, then of course we are totally emasculated or what the broader, more modern word would be. I defer to the former Minister of Health in that regard in case she can think of one.

I think it is important that we realize democracy changes over the years. It certainly has changed in our time, not just in the rules of the House and the emphasis on the exposure of the ministers of the crown to a daily question period without notice, but more than that, in the feeling that the government and the people in all parties are doing their best to represent the needs of the community in a modern and effective way.

I have said this many times, and others have as well. For all of our partisan differences, and they become quite acute and aggressive and focused at times, still I do not think there is anyone here who, when talking about a colleague in any party, would question the basic motivation of us all—that we have stood for election and worked hard for election and that we have been elected to represent the best interests of our people and the province at large. There is simply no question about that. That is why one of our rules, Mr Speaker, which you apply so carefully and assiduously, is that we do not question our motives, that our motives are in that respect unquestionable and if someone does that it really means appropriate business cannot proceed.

I certainly am not going to spend time advising any cabinet ministers as to what they should be doing at this time. They were working assiduously yesterday in the interests of good government. When members of the press ask me, as they properly do, "Haven't they done one good thing?" I understand that as of yesterday there is something I can point to. We will see about that.

Anyway, I am very glad to speak on behalf of my colleagues when we say we are not opposing interim supply. The government is spending an average of about \$180 million every business day. It is hard to believe that is the case, but in fact that is the average rate of expenditure. In these difficult days, the revenue coming in does not balance that. That shortfall is a matter of concern that we have discussed and will continue to discuss.

I have involved myself in this debate for a number of years. I say to the Treasurer, who is not paying any attention to these pearls I am casting, that I continue to have a high regard for him and I really regret the pressures placed on him by his colleagues are such that he has had to make decisions that are so much against the best interests of the

economy and the taxpayers of Ontario. We regret that has to be the case, but all of us here wish him well in his duties, as we do the cabinet ministers who must, by their lights and by their abilities, respond to the responsibilities given to them.

Hon Mr Rae: I want to participate very briefly in this debate, principally to pay tribute to the Treasurer who, as I am sure members will appreciate, has worked very hard on behalf of the people of the province in very difficult circumstances. I want the members of the House to know how strongly I support his activities, how much I have appreciated his advice as Deputy Premier and how much I appreciate his friendship and his support as we go through these early days in government.

I have listened with care to the comments by the Leader of the Opposition. Unfortunately, I was not able to listen to the member for Etobicoke West, but I will no doubt have the opportunity at greater leisure over the weekend to read his comments in Hansard, which I look forward to doing.

I cannot resist responding to the Leader of the Opposition by saying that once again it seems to me the Leader of the Opposition has spoken for all of us as he reflects on the nature of this Legislature and the nature of public life. I think it is fair to say that in my political life I have had occasion to say things I have later come to regret. I am not referring to commitments or promises. I am referring to comments that I have made about other people in politics. I have come to regret them. I have tried to make amends.

I see the member for Mississauga West is here. I badly wronged him in the House on one occasion and, as I have said to him privately and I say publicly, I feel that. I still feel badly about that moment. I think these moments, which I dare say other members perhaps have experienced as well, though perhaps not with quite the—when I make mistakes they are usually done with gusto.

I think that causes us to reflect on the nature of partisan life. The party political system is an institution which has allowed us all to get here. When I reflect on the American political system or on alternatives in which there are no parties or in which there are no political organizations, I am not sure that level of accountability is there. We have to recognize the reality of the party system and recognize the fact that it is the system which has allowed us to get here and has produced governments in the parliamentary system, if we go back looking at the history of parliaments, over a long period of time.

The one comment I hear from the public more often than any other is, "Why can't you people co-operate more with each other?" I dare say it is a comment all members in this House hear when they go back to their constituencies. Part of the answer I have to give, and I more and more feel it is not a particularly satisfactory answer, is: "That's not really how our system is expected to work. If you read through all the constitutional texts, partisan government, constitutional government, cabinet government, however one wants to describe it, is supposed to work in a particular way."

I can only say to members that I think it is important that all of us use this summer to reflect—and I say this in a

way I know they can all take with a grain of salt, but I mean it quite sincerely—on how we can make the system work better, so there is at least an element of co-operation, an element of trying to share some information and responsibility. The challenge, of course, is that no opposition party wants to take responsibility for the mistakes that a government makes.

1700

I see the member for Halton Centre nodding vigorously, saying to herself, "Well, would you?" I know exactly what she is saying to herself. There have been some exceptions to that. There have been times, I suppose, with minority governments when it is quite accepted and normal. Certainly there were the two years I was here during the accord, which was a novel development in our Constitution, never happened before. That kind of arrangement was made, and as I was making it, so many people in my own party said: "You're nuts. You're giving away too much in terms of your right to oppose and to play that role."

I must confess, now that we have been through this period of time in office, that I think there are a lot of us who feel we have to make the system work better, not simply because the government obviously wants to get more support as we carry out our program, but because we simply have to make the system work better. I would ask honourable members to reflect on that. I can tell them that, as the Premier, I am certainly going to be doing that.

I know the Treasurer, for example, when it comes to the budgetary questions, has said he wants to look at how we can make the process more open. In this business, you're darned if you do and you're darned if you don't. The Treasurer listened on the gas guzzler tax. He listened and people said, "Why didn't you consult beforehand?" The answer is that we cannot consult beforehand because the rules say all budgetary information must be kept a total secret, so in fact if the government was considering particular things in any considerable detail, they could not be shared.

Now the Treasurer has gone through a process of listening and trying to come up with another answer. I know there are those who continue to be opposed to what he did. Somebody said, "Don't you think the government has lost face because it accepted the advice that it should change?" I say to the honourable members opposite, we cannot have it both ways. If they want us to listen—

Mr Bradley: In opposition you can.

Hon Mr Rae: In opposition you can have it both ways under our system, that is right, and we all know that system. I am just saying to people, let's reflect on it. I have been there. I have been in opposition far longer than I have been anywhere else and I know how it is played and how it is done. If that is the mode we want to get into, then we can certainly sustain that mode for a period of time. If there are other ways members want to proceed, then we can proceed in other ways. We will have to reflect on that and make an effort to do so.

I also want to say to members that it is perhaps appropriate for the government to simply say to the public that

This is a very difficult moment in our history as a province, not, as I hear some Conservative members saying, because the New Democratic Party won the election on 6 September; we would have a serious economic situation whether the Liberals were in power, whether the Conservatives were in power or whether we were in power. Now members can say, "Some things make it better and some things make it worse," and I hear people wanting to say that, as they are being very attentive listening in their seats and not heckling me today. It seems to be a day when people are into another mode, which I find very interesting and helpful.

Mr Mahoney: You need background noise.

Hon Mr Rae: No, I do not need background noise, I say to the member for Mississauga West.

Mr Elston: Want some heckling?

Mr Sorbara: Resign. Change the budget.

Hon Mr Rae: Now I feel more at home. I will get out of first gear now, if they want. I am quite happy to do that.

Mrs Caplan: Kinder and gentler.

Hon Mr Rae: I do not know about kinder and gentler. What I do know is that this is a fact. The member for Nipissing has made his suggestions with respect to how we could do things differently, and so have members of the Liberal Party. I would only make the point that some of the rhetoric about the deficit situation we face and the alternatives facing the province is really extraordinarily excessive. The Treasury officials who have been briefing us are the same Treasury officials who briefed the previous government, and many of them are the same Treasury officials who have been briefing governments in this province for a long period of time.

Mrs Caplan: You didn't take their advice.

Hon Mr Rae: The member for Oriole says the Liberal Party never took their advice.

Mrs Caplan: I said you never took their advice.

Hon Mr Rae: Oh, we never took their advice.

Mr Scott: You never made this speech before 6 September.

Hon Mr Rae: The member for St George-St David said I never gave this speech before 6 September. Not with as much feeling as I am giving it now, I can tell members that, but with considerable feeling today, I can tell the member.

That is a fundamental fact. We can argue about if we roll back this or we cut back on that or we do this, but we as a province would still have a deficit this year. The Conservatives had a deficit when there was a recession in the early 1980s. It was a large deficit for its time, not as large as the one we are encountering, but a large one. These are facts that I think have to be put on the table and put in some perspective, because the reaction from a section of the public who were on the steps of the Legislature today, a certain public but a part of the public, is one which says, "There shouldn't be a deficit at all," or, "It would be great if we could just get rid of it overnight," or, "Why do we still have one in two or three years?" I can only say to

honourable members that I listened carefully to what they had to say and I have said—

Mr Harris: They asked you to balance it in four years. That is all they said. They acknowledged the mess you inherited and said it was a disgrace.

Hon Mr Rae: The member for Nipissing says they have asked us to balance it in four years. I would say to him, if he would come with me and make the distinction between operating and capital, which is an important distinction—the member goes like this. Let me just say to him, every municipality makes that distinction and every company makes that distinction in terms of long-term investment. So should we.

These are issues that the public is entitled to hear about and that the public will hear about, but the question before us is one that is not going to be solved by rhetoric; it is going to be solved by people showing a willingness to work together. I said to the business community today that we want to work in co-operation with it. We are interested in hearing their suggestions on how we can turn the economy around. If they feel there are other things that could be done, we will certainly be glad to listen to what they have to say. We have spent a considerable time in doing just that.

I want to say to honourable members that on their behalf I want to express my gratitude to you, Mr Speaker, and to the pages who are going to be leaving this day.

[Applause]

I want to express my thanks to the Clerk and to the table officers who have done, as always, a superb job and say that we are very appreciative of the efforts of legislative staff. We appreciate it very much, particularly the work they have done over the last couple of weeks, because we have been asking them to work a considerable amount of overtime and we appreciate it.

I want to conclude by wishing everyone well on all sides of the House, to say it has been an interesting session for me as Premier, to say it has been a session which, despite the rhetoric and bombast, has been a session in which we have accomplished a great deal. There is much legislation that is now in committee that would not otherwise be there.

We have brought forward the legislation on rent review and on wage protection. We have the health professions legislation finally in committee and I am sure the member for Oriole takes some sense of parenthood as this legislation proceeds apace. I dare say if there was a former Conservative Health minister over there he might feel the same way, given the length of time it has been in the works.

I want to conclude by saying that I wish members well for the summer. It is going to be a busy summer for members, and I want to say that in addition to reflecting on how to make the system work better, perhaps members could also reflect a bit on the future of the country. There is an issue that will not go away. It will become more acute, as much as many people might like to think that if we do not think about it, it will get better. It will not. It is something we have to continue to address as a Legislature, as a province, as

citizens, as Canadians. I think we can all say on this moment, God bless Canada.

The Speaker: Miss Martel has moved resolution 21. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

1710

The Speaker: While the Premier pre-empted one of my remarks, it is customary for the Speaker to pay tribute to the pages, not all of whom are here currently, they are on other duties, but allow me the opportunity to say on behalf of all the members that the pages have once again served with great distinction on behalf of all the members of the assembly and I think they deserve another round of applause.

[Applause]

RESIGNATION OF MEMBER FOR BRANT-HALDIMAND

Mr Nixon: Mr Speaker, I request your permission to make a personal statement. The letter I am giving to the page for you contains my resignation as member for Brant-Haldimand, effective 31 July 1991. I do this with some regret, but I felt that the circumstances of my own life, which are rapidly moving along, required this as a decision.

I thought it might be appropriate if I might just bring to your attention that my wife and some members of my family are in the gallery. I am not sure that their emotions are mixed in this regard.

It has been a high honour and an extremely interesting life experience to represent the area of Brant county and ancillary areas since 18 January 1962, which, I say to all members, does not for me seem very long ago. I would say to anyone who is interested in listening that, in my view, a career in politics and public life in that sense is worth while and fulfilling.

Having experienced many years in opposition, like a number of the government members and now a few of the Progressive Conservative members, and five years in government, government is definitely better. The work in opposition, however, should never be discounted. I know, sir, that you, who have had substantial experience in that regard yourself, would agree that the system depends on the checks and balances of opposition being properly put forward and with all the resources we now have in that regard.

I just want to say that one of the best experiences here, naturally, has been the friendships I have experienced and established in all political parties over those years. When it gets right down to it, while a person may try to remember certain specific accomplishments, and it is a little difficult to do that, still, the acquaintances, friendships and the stimulation of working in this particular chamber are all important.

I cannot imagine another lifestyle or employment where you go from total, unbelievable boredom to the other extreme of hanging on for dear life to your political

life and honour, and at the same time from periods of rather focused anger and aggression, always under your direction and the rules, Mr Speaker, to just the other extreme where the greatest of friendships and goodwill are established, because when it comes right down to it we all share, as I said previously this afternoon, the same goals and the same aspirations and many of us the same pressures.

So, sir, I have placed my resignation in your hands. I want to thank you for your friendship and concern in many of these matters.

Hon Mr Rae: I wonder if I might be permitted to say a few words. I hope I can safely say the honourable member and I are friends. I have the highest regard for him as I have told him privately, and publicly said on a number of occasions in this House.

There were moments in 1985 when I had mixed emotions about the experience of that election, which was not one of my more successful efforts, I point out, my first election as leader. The results were there and we had to make a critical choice as a party as to what we would do and how we would respond. I can only tell the members of the House that my regard for the Leader of the Opposition, which was not at that point out of this world, because he had given me a hard time when I first got here and I could not quite get used to that—the dignity with which he conducted himself and the genuine sense of history he showed during that time of what needed to be done and what could be done, to me was just a model.

I can remember distinctly calling him the day he was about to speak on the final vote of the Conservative government and reflecting on his own life, his father's very distinguished career, the way in which his father came into the Legislature at a dramatic moment in the life of the province and served the public so well, and then faced, as he did, a long period in opposition. I can remember sharing with him the thought that this was indeed an important moment in his life, for all of us and for the province.

The member's directness, his effectiveness as a Treasurer, I think, are a matter of record. I would continue to say some things about the previous administration. I am not about to stop saying those things. But despite our differences of opinion on policy I do not think there is anybody in this House who does not have, and did not have in his period as Treasurer, enormous respect for his ability.

His effectiveness in question period is there. I have the scars to show it but, unlike Lyndon Johnson, I will not reveal them for all to see; many of them are of an internal kind. He has been a most effective spokesman for his party, both before 1985 and after the election when he became the Leader of the Opposition.

The Leader of the Opposition and I had a sufficiently sound personal relationship that we were able, after 6 September, to have some discussions on my initiative. I said to the Leader of the Opposition, "If there is ever a moment when you decide you would like to serve the province in some other way"—and I think it is fair to say it is a natural transition for somebody who has been in opposition, then in government, then back as interim Leader of the Opposition—"there is always, in my view, room in the broader public service for someone of your calibre and quality."

720

When the Leader of the Opposition made known to me his intention to step down I told him, without consulting anyone, I think it is fair to say, that I would like him very much to serve the province. The cabinet yesterday decided, on my recommendation—and it was not put to a vote, I can tell the Leader of the Opposition—to appoint Robert Nixon as our representative, our agent general in London, England.

I look forward to his loyal service to this government as well as to the broader public interest. I cannot think of a better person to represent the province. We have been well served by Tom Wells, who has been there for nearly six years and has served the province with great distinction. I want everyone to know that I think Robert Nixon's accomplishments, his dedication, his great humour, his gusto for public life and public service will serve us all remarkably well.

Let me also say how much we are looking forward to having the support, help and, if I may say so, because I know a little bit about some of these things, the work of Mr Nixon's wife, Dorothy. It is a joy to all of us that the Nixon family is here today. I cannot imagine she has not had moments of feeling that she wished there was a little bit more time and a little bit more opportunity to relax and see the good Robert. I hope that will be possible in London. I feel very strongly that it will be, as well as a chance for great service for them both.

The Nixon family has contributed an enormous amount to the quality of life in this province. On behalf of the government, on behalf of the people, I want to say thank you and I want to say how much we look forward to many more years of co-operation, service and goodwill from Robert Nixon, a great and good servant of the people.

Mr Harris: I really do consider it a privilege. Many times, being the leader of a party—I could say even my party—is not as rewarding an experience on some of those mornings when you wake up as you thought it was going to be when you fought so hard to get here. There are other days, more of them fortunately than the former—and today is one of those other days—where the opportunity to speak indeed is not a challenge, not a duty, not one when I think anything other than how proud and privileged I am to have the opportunity to express the views of my party and, of course, myself and members of this Legislature, on the Nixon legacy. 70 years, father and son.

I know a number of members of the family are here. You will understand I believe 70 is plenty enough for the Guinness Book of World Records, and my bias would be that we leave it at that. It will go into the records that way. But this moment is something—the nearly 30 years of Bob Nixon and the combined 70 of him and his father—none of us here in this House will ever experience again in our lifetimes. It is not likely that very many people will, unless Shelley surprises us and some of our children are still here for a dynasty of Martels some day. So it is indeed a privilege.

I was first elected in 1981 and I can remember being a scared and nervous backbencher. The stories of wondering where the washrooms, the facilities and the services are and what to do are all true. I can remember there were 22

of us at that time in our party—1981 was a better year for us—who were newly elected and we were nervous about our first speeches.

Many of them took place at 10 o'clock at night in those days, sometimes 5:45, and Bob Nixon more often than not was there for those first speeches of backbench members. They were so important to us. Their significance in the debate we placed them in of course was irrelevant and we all know that. It was a throne speech debate, a budget debate or a filler. We were not going to influence any votes. We were not trying to. It was an opportunity to talk about our ridings and how proud we were to be here and who we were and what our dreams and hopes and aspirations were for the changes we could effect in public life.

Bob Nixon was not there listening to those speeches because it was going to affect his vote on that Conservative budget of the day or on the throne speech that had been delivered. He was there out of a really deep affection, I think, and appreciation for parliamentary democracy, for the political process. Bob, I am not sure I have ever said this to you, but I wanted you to know how much I appreciated your being there, in 1981, when I gave my first speech. I have re-read it a couple of times. It was rotten. Why you ever sat through the whole thing, I do not know. Many will say they have not improved much over 10 years and I understand that.

But it meant so much to all of us and to many members of all three parties, the fact that he was here in this House, that he was always available. Many times, I know, when he was House leader for the Liberal Party, the only way we Conservative backbenchers could find out what was going on was to go and talk to Bob Nixon. We would come out of caucus and we were not sure, but Bob always could let us know exactly what was going to happen, when it was going to happen, what bills and how we were all going to vote. He freely shared that information with us and it helped us a lot in understanding what was going on.

I remember many of those occasions. I remember the evening sittings when he should probably have been with Dorothy and the family at home, but he felt it was important that he be here. This is before he was in government, before he was Treasurer and before he had those other onerous responsibilities.

I am not going to share the 1985 experience, as the Premier has. That experience was not as good to me as it was to the Premier.

1730

Hon Mr Rae: Well, it took a while.

Mr Harris: It took five or six years, as the Premier has said, but I would rather share those times and moments that meant so much to me.

I have been to the Nixons' home for dinner. I indicated to him I would be available to come back again, and he told me he is moving out of the homestead. He tells me the renovations in the new place are going very well and he has no regrets about anything that is being done, and that one of his family members will be taking over that home.

Bob was really a friend to people involved in politics of all parties, to elected people. He has been a friend of

mine, a friend of my family. My wife could never understand how I could ever say anything nasty about Bob Nixon, particularly after she had met him and his wife, in that period of 1985 to today. Somehow or other, I always found some things, as was my job. Many days, it was very challenging for me to do that.

In conclusion, I tried to go through some clippings. We keep a file on everybody, by the way. Members should know this. I flipped through. The file on Nixon is this big. I just pulled out a couple of the good ones. I threw away all the bad ones.

"A Family with Roots." This is 1986. "Scratch the surface of Treasurer Bob Nixon and you will find a farm boy." Well, in many ways he was a farm boy in the very positive sense of those who work the land. I thought of him that way.

"Crusty Hot Stove League Keeps Treasurer on His Toes." How many times did we hear about Earl's Shell? What Earl's Shell symbolized to us was that there are folks back home in our ridings, not the ones who contribute money, not the ones who knock on doors, not the ones who campaign, not the big shots, not the municipal officials or the trustees, but ordinary folks. If you do not keep in touch with them, you will not truly understand what Ontarians are thinking. These are the ones who do not just say the things you want to hear. These are the ones who let you have it when you should have it. Bob was very good at that.

"Nixon Called Most Important Member" of the whole Peterson team in the Peterson era. I have said that on many occasions to many people. Bob Nixon will disagree with me, but I believe he was the Liberal government from 1985 to 1990.

I thought this was an interesting one. I was not going to use it today, but then I heard Bob Nixon talk about how a month ago he was out on the front steps and he got roundly booed. He also alleged that those common folks out there were all Bay Street people. Then I got this one from 30 September 1987: "Bay Street Cheers Nixon Getting New Job" as Treasurer. It shows you, whether you like to get support from Bay Street or Main Street or Earl's Shell or wherever, it can change from month to month and year to year, and inevitably it does.

"Nixon Coasts to an Easy Victory, Is Already Planning Next Budget."

Mr Nixon: That was nice; that was then.

Mr Harris: That was then; that was 1987. He had 15,000; the runner-up—not my party—5,000, like most election fights for Bob Nixon. He may not have thought of them that way, and I guess if you do take them for granted, they never are easy, but I and those candidates in our party who had to come forward kind of knew what the result was going to be on voting day before they were nominated.

"Nixon More Popular Than Ever," 1987. That was then. "Nixon Calls His Ninth Win a Sweet One." They are all sweet, and Bob has had so many more than many of us, and his family so many.

"The Future: Nixon Predicts Grit Revival," 1990. I always had the sense, and he would know, that this last

period of time has not been easy for Bob Nixon. His party has needed him. They have been so much the better that he stayed on. I always had the sense, and it is obviously true, that he would not leave his party. He did not leave them before the last election, when he felt they needed him desperately, and obviously they did. After the election he stayed with them, and I always had the sense that he would not leave—and this is the last time members will ever hear me say this—until his party was back on top. I do not know whether it is coincidence that the poll came out today that allowed him to make the announcement today, but Bob Nixon leaves today with his party back on top. After he leaves, I think it will be disastrous.

I thought this one was very good, and I am winding down, but I wanted to say it: "He is Yes Indeed Minister." This is an article from the Toronto Star, 1989. "He's got your world on a string—purse-string, that is—and as such is probably the man in provincial politics you'd most love to hate." It is the nature of the job. It says here: "Don't waste your energy. He'll charm you out of that notion and at the same time make you believe that the taxes you're doling out today will 10 years down the road be looked back on with yearning as the good old days."

Mr Nixon: That's right.

Mr Harris: Well, this is the writer's opinion, and indeed Nixon had that charm.

The last one is, "MPPs Fête 70 Years of Nixons."

I am proud to have known Bob and to be his friend. I will always be his friend, now that I am looking for a place to stay, if I can ever get to London. I hope he will always consider me his friend as well. I know with the restraint I have been calling for, I will not get over there on the government ticket. I am going to have to save up my own Aeroplan points or something. I will attempt to do that on those flights that I take and pay for out of my own pocket.

I want to conclude by saying that I and my party endorse and support wholeheartedly the appointment the Premier announces today of Bob Nixon as our agent general in London. I spoke about six months ago with Tom Wells and I asked him: "What's happening, Tom? What's the future? You have overstayed your normal term of appointment." He said: "I know. I wish they'd decide, because I can't afford to stay here any longer." So I pass that on to the Nixons, that this is going to be challenging, it is going to be rewarding. He will serve us very well, but the cost of living in London is even higher than Toronto, if he can believe that. Of course, the wages and the number of jobs are more numerous too.

Bob, we salute you, we toast you and we wish you very well. Every success in the future to you and Dorothy and your family.

1740

Mr Bradley: There are days in the life of a legislative body such as this that we all know will be coming forward and will be arriving. There are days we wish would not arrive and today is obviously one of those, the day on which the member for Brant-Haldimand, a member who has been part of a family which has represented Brant

county since 1919, is announcing his resignation from this House.

I cannot think of an individual who has had more impact on this Legislature than Bob Nixon has over those years, certainly more impact on the Liberal Party in his capacity as leader and now interim leader, and of course in his role as a member of the cabinet of David Peterson.

He and I have had the odd disagreement, as members may be aware, but to me Bob Nixon represents what is the best in politics, what some people who observe the political scene today say perhaps is missing. The Premier made some allusion to this earlier in his remarks on interim supply, about the way in which we conduct ourselves as members of political parties and as members of various legislative bodies.

The integrity—and that is a word that certainly comes to mind for all us—the honesty, the decency, the forthrightness, the loyalty and the dedication have been well recognized by people in all parties for a number of years in this House, those who have served before us and those who have had the opportunity to serve for some years with Bob Nixon.

Indeed I must confess—I do not know if “confess” is the appropriate word—that the reason I am in provincial politics today is because of Bob Nixon. I cannot say that he recruited me in 1967. I understand he tried to block my nomination at the time when there was a rather contentious fight in the city of St Catharines and a much better candidate lost the nomination. I had just turned voting age at the time. But to show the kind of person he is, having gone through that crisis, with many letters coming from my community saying a better candidate could be found, obviously, than this young upstart, the person who rallied to my cause and stood side by side with me—and I have a photograph of this and there was, combined, about 110 pounds less than today—was Bob Nixon. I think each one of the members of the Liberal caucus and those who have served over the years could say the same of Bob.

I look up in the gallery and see Dorothy and the family, and of course the grandchildren. Bob reminded me that if I went on at great length the grandchildren particularly would become restless, so I indicated I would try to keep my remarks relatively brief. But I know the strong support the family has provided to Bob over the years, that in the midst of all the fights that take place in the Legislature and on the hustings or around the country, those who were always there to rally to his side, those who were there to provide the consolation at the appropriate time and the support at the appropriate time and who have rallied around him for years were those who are in the gallery today, and they are members of the Nixon family.

I will not go through the history of the Nixon family. I think we all know it. We know that Bob is exceeding proud, and justifiably so, of his father, Harry Nixon, who served from 1919 to 1961 in this Legislative Assembly, and was a former Premier of this province and a member of the Mitch Hepburn cabinet back in the rather interesting days of politics in the 1940s.

I well recall the various leadership conventions that Bob went through. True to my strong support for him over

the years, I remember the 1973 nomination for the leader of the Liberal Party, when on the final ballot I rallied to his cause. Left with the choice of Norm Cafik and Bob Nixon, I took Bob Nixon as my choice.

Certainly, at each one of the gatherings of our party—and I speak in a partisan sense in this case—there is not a person who is more revered and who has had more support than Bob over the years. I learned that one day in an incident in cabinet when I dared to make a somewhat insulting remark to my friend about who was going to be here, or something of that nature. We are not supposed to tell cabinet secrets, but Bob responded at the time that he would be here as long as the people of this province required him to be here. There was thunderous applause and while I slipped under the table, red-faced and apologizing, Bob of course indicated that all was fine and that the province would carry on.

In philosophy, interestingly enough a lot of people probably do not recognize how liberal Bob Nixon is in terms of the social values he sees in this province and in his view of social issues. He has been portrayed as a fiscal Conservative, and that is probably a good portrayal of him in that he was always careful with the expenditures of this province. At least I as a minister and my colleagues as ministers and members of the caucus would recognize this. At the same time he had that liberal philosophy that saw the very best in everyone, and certainly had a great respect for democracy in this province.

The other thing those of us who have known Bob Nixon a long time could say of him, and those in the opposition and the third party know this well, is that you always know where Bob Nixon stands on every issue. He is certainly not one who disguises his point of view. He expresses it with a good deal of vehemence and determination.

Bob, I was glad in cabinet that the table was 15 feet wide, particularly when we got into some of our heated exchanges. Once again, the tougher the fight and the more heated the exchange, the more support you got for Bob Nixon when we came out into the Legislative Assembly and sat side by side defending a position he perhaps did not entirely agree with and defending an individual. Those who have experienced this in the three parties would recognize this about Bob Nixon and people like him. I have been very pleased with and thankful for that kind of support, as have my colleagues over the years.

Last but not least, I was honoured to be asked to be the guest speaker at his nomination meeting in Caledonia, where I spoke on a number of environmental issues for which he had so much passion over the years. That is something I will probably remember all my life.

I also want to thank you very much, Bob, as do all of us in the Liberal caucus, for all the support you have gathered among members of the legal and teaching professions over the years.

The leader of the third party has mentioned that Bob Nixon leaves the Liberal Party in first place in the polls and we are delighted with that. However, when I look at a person in politics and try to make a judgement, I find the best way to judge such a person is not by the friends he

acquires but by the enemies he makes, and Bob Nixon has made all the right enemies in politics.

Last, upon the passing of his father, Harry Nixon, in 1961, a quote appeared about him in the *Globe and Mail*. It said, "He possessed a balanced perspective, a fund of common sense and a quiet sense of humour." It is obvious that those qualities are hereditary.

Mr Nixon: I appreciate all those comments, but I am out of here.

The Speaker: With the indulgence of the House, on behalf of the assembly staff, of whom the Speaker is the chief administrator, I know you leave behind many friends. There are many staff people who will miss the kindness and understanding you have shown over nearly three decades. I want to wish you well on their behalf.

I would also like to mention very briefly the enormous respect the member for Brant-Haldimand has for Parliament. Parliamentary tradition is very much appreciated by the Speaker.

Hon Mr Laughren: I know a second round of speeches would be inappropriate, and I do not intend to do that. I simply wanted to send across the floor to the soon-to-be-former dean

of the Legislature a small token from our caucus that will reflect his roots and, who knows, some day may be something to which he returns. I present this to him.

Hon Miss Martel: Just before I adjourn the House, if I might make a few remarks to the member for Brant-Haldimand: This member of one dynasty wishes all the best to another member of another dynasty in the future.

Mr Speaker, on behalf of all the members, I would like to wish you and your family and all the assembly staff and public servants who work so hard for the people of Ontario a very happy and safe summer. On my own behalf, I wish all my colleagues on all sides a very good summer. Get some rest, and we look forward to seeing you back in September.

The Speaker: I would like to thank all members for the contributions they have made in attempting to assist the Speaker. I appreciate your assistance. I look forward to seeing you back here in the fall. This House stands adjourned until 1:30 of the clock on Monday 23 September.

On motion by Miss Martel, the House adjourned at 1753.

ALPHABETICAL LIST OF MEMBERS

Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Speaker: Hon David Warner

Clerk of the Legislative Assembly: Claude L. DesRosiers

Clerk Assistant and Clerk of Committees: Smirle Forsyth

Clerk Assistant and Clerk of Journals: Alex D. McFedries

Sergeant at Arms: Thomas Stelling

Name of member	Constituency	Party	Other responsibilities
Abel, Donald	Wentworth North	NDP	Government whip
Akande, Hon Zanana L.	St Andrew-St Patrick	NDP	Minister of Community and Social Services
Allen, Hon Richard	Hamilton West	NDP	Minister of Colleges and Universities, Minister of Skills Development
Arnott, Ted	Wellington	PC	
Beer, Charles	York North	Lib	
Bisson, Gilles	Cochrane South	NDP	Parliamentary assistant to the Minister of Mines, to the Minister of Northern Development and to the minister responsible for francophone affairs
			Vice-Chair, standing committee on Ontario in Confederation
Boyd, Hon Marion	London Centre	NDP	Minister of Education
Bradley, James J.	St Catharines	Lib	
Brown, Michael A.	Algoma-Manitoulin	Lib	Vice-Chair, standing committee on general government
Buchanan, Hon Elmer	Hastings-Peterborough	NDP	Minister of Agriculture and Food
Callahan, Robert V.	Brampton South	Lib	Chair, standing committee on public accounts
Caplan, Elinor	Oriole	Lib	Chair, standing committee on social development
Carr, Gary	Oakville South	PC	
Carter, Hon Jenny	Peterborough	NDP	Minister of Energy
Charlton, Hon Brian A.	Hamilton Mountain	NDP	Minister of Financial Institutions
Chiarelli, Robert	Ottawa West	Lib	
Christopherson, David	Hamilton Centre	NDP	Parliamentary assistant to the Treasurer of Ontario and Minister of Economics
Churley, Hon Marilyn	Riverdale	NDP	Minister of Consumer and Commercial Relations
Cleary, John C.	Cornwall	Lib	
Conway, Sean G.	Renfrew North	Lib	
Cooke, Hon David S.	Windsor-Riverside	NDP	Minister of Housing, Minister of Municipal Affairs
Cooper, Mike	Kitchener-Wilmot	NDP	Deputy government whip
Coppen, Hon Shirley	Niagara South	NDP	Minister without Portfolio, chief government whip
Cordiano, Joseph	Lawrence	Lib	Vice-Chair, standing committee on social development
Cousens, W. Donald	Markham	PC	
Cunningham, Dianne E.	London North	PC	PC chief whip
Curling, Alvin	Scarborough North	Lib	
Dadamo, George	Windsor-Sandwich	NDP	Parliamentary assistant to the Minister of Transportation
Daigeler, Hans	Nepean	Lib	
Drainville, Dennis	Victoria-Haliburton	NDP	Parliamentary assistant to the Minister of Citizenship
Duignan, Noel	Halton North	NDP	Chair, standing committee on the Legislative Assembly
			Co-Chair, special committee on the parliamentary precinct
Elston, Murray J.	Bruce	Lib	Opposition House leader
Eves, Ernie L.	Parry Sound	PC	PC House leader
Farnan, Hon Mike	Cambridge	NDP	Solicitor General, Minister of Correctional Services, minister responsible for the provincial anti-drug strategy
Fawcett, Joan M.	Northumberland	Lib	
Ferguson, Will	Kitchener	NDP	Parliamentary assistant to the Minister of Municipal Affairs
Fletcher, Derek	Guelph	NDP	Parliamentary assistant to the Minister of Consumer and Commercial Relations
Frankford, Robert	Scarborough East	NDP	
Gigantes, Evelyn	Ottawa Centre	NDP	
Grandmaître, Bernard	Ottawa East	Lib	

Name of member	Constituency	Party	Other responsibilities
Grier, Hon Ruth A.	Etobicoke-Lakeshore	NDP	Minister of the Environment, minister responsible for the greater Toronto area
Haeck, Christel	St Catharines-Brock	NDP	Parliamentary assistant to the Minister of Colleges and Universities
Hampton, Hon Howard	Rainy River	NDP	Attorney General
Hansen, Ron	Lincoln	NDP	Chair, standing committee on regulations and private bills
Harnick, Charles	Willowdale	PC	
Harrington, Margaret H.	Niagara Falls	NDP	Parliamentary assistant to the Minister of Housing
Harris, Michael D.	Nipissing	PC	Leader of the Progressive Conservative Party
Haslam, Karen	Perth	NDP	First Deputy Chair of the Committee of the whole House
Hayes, Pat	Essex-Kent	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Henderson, D. James	Etobicoke-Humber	Lib	
Hope, Randy R.	Chatham-Kent	NDP	Parliamentary assistant to the Minister of Community and Social Services
Huget, Bob	Sarnia	NDP	Chair, standing committee on resources development
Jackson, Cameron	Burlington South	PC	Parliamentary assistant to the Minister of Energy
Jamison, Norman	Norfolk	NDP	Chair, standing committee on estimates
Johnson, Paul R.	Prince Edward-Lennox-South Hastings	NDP	Parliamentary assistant to the Minister of Industry, Trade and Technology
Jordan, Leo	Lanark-Renfrew	PC	Parliamentary assistant to the Chairman of the Management Board of Cabinet
Klopp, Paul	Huron	NDP	Parliamentary assistant to the Minister of Agriculture and Food
Kormos, Peter	Welland-Thorold	NDP	Chair, standing committee on resources development
Kwinter, Monte	Wilson Heights	Lib	
Lankin, Hon Frances	Beaches-Woodbine	NDP	Minister of Health, Chairman of the Management Board of Cabinet
Laughren, Hon Floyd	Nickel Belt	NDP	Deputy Premier, Treasurer of Ontario and Minister of Economics
Lessard, Wayne	Windsor-Walkerville	NDP	Parliamentary assistant to the Minister of Financial Institutions
Mackenzie, Hon Bob	Hamilton East	NDP	Minister of Labour
MacKinnon, Ellen	Lambton	NDP	Vice-Chair, standing committee on the Legislative Assembly
Mahoney, Steven W.	Mississauga West	Lib	Chief opposition whip
Malkowski, Gary	York East	NDP	Parliamentary assistant to the Minister of Citizenship
Mammoliti, George	Yorkview	NDP	Parliamentary assistant to the minister responsible for the provincial anti-drug strategy
Mancini, Remo	Essex South	Lib	Chair, standing committee on general government
Marchese, Hon Rosario	Fort York	NDP	Minister of Culture and Communications
Marland, Margaret	Mississauga South	PC	Vice-Chair, standing committee on estimates
Martel, Hon Shelley	Sudbury East	NDP	Minister of Northern Development, government House leader
Martin, Tony	Sault Ste Marie	NDP	Parliamentary assistant to the Minister of Education
Mathysen, Irene	Middlesex	NDP	Parliamentary assistant to the Minister of the Environment
McClelland, Carman	Brampton North	Lib	
McGuinty, Dalton	Ottawa South	Lib	
McLean, Allan K.	Simcoe East	PC	Vice-Chair, standing committee on government agencies
McLeod, Lyn	Fort William	Lib	
Miclash, Frank	Kenora	Lib	Opposition deputy whip
Mills, Gordon	Durham East	NDP	Parliamentary assistant to the Solicitor General
Morin, Gilles E.	Carleton East	Lib	Deputy Speaker, Chair of the Committee of the whole House
Morrow, Mark	Wentworth East	NDP	Chair, standing committee on the Ombudsman
			Vice-Chair, standing committee on administration of justice
Murdoch, Bill	Grey	PC	

Name of member	Constituency	Party	Other responsibilities
Murdock, Sharon	Sudbury	NDP	Parliamentary assistant to the Minister of Labour
Nixon, Robert F.	Brant-Haldimand	Lib	Leader of the Official Opposition
North, Hon Peter	Elgin	NDP	Minister of Tourism and Recreation
O'Connor, Lawrence	Durham-York	NDP	Parliamentary assistant to the Minister of the Environment Vice-Chair, standing committee on regulations and private bills
Offer, Steven	Mississauga North	Lib	
O'Neil, Hugh P.	Quinte	Lib	
O'Neill, Yvonne	Ottawa-Rideau	Lib	Opposition deputy whip
Owens, Stephen	Scarborough Centre	NDP	Parliamentary assistant to the Minister of Correctional Services
Perruzza, Anthony	Downsview	NDP	Parliamentary assistant to the Minister of Revenue
Philip, Hon Ed	Etobicoke-Rexdale	NDP	Minister of Transportation
Phillips, Gerry	Scarborough-Agincourt	Lib	
Pilkey, Hon Allan	Oshawa	NDP	Minister of Industry, Trade and Technology
Poirier, Jean	Prescott and Russell	Lib	
Poole, Dianne	Eglinton	Lib	Vice-Chair, standing committee on public accounts
Pouliot, Hon Gilles	Lake Nipigon	NDP	Minister of Mines, minister responsible for francophone affairs
Rae, Hon Bob	York South	NDP	Premier, Minister of Intergovernmental Affairs
Ramsay, David	Timiskaming	Lib	
Rizzo, Tony	Oakwood	Ind	
Runciman, Robert W.	Leeds-Grenville	PC	Chair, standing committee on government agencies
Ruprecht, Tony	Parkdale	Lib	
Scott, Ian G.	St George-St David	Lib	
Silipo, Tony	Dovercourt	NDP	Chair, select committee on Ontario in Confederation
Sola, John	Mississauga East	Lib	
Sorbara, Gregory S.	York Centre	Lib	
Sterling, Norman W.	Carleton	PC	
Stockwell, Chris	Etobicoke West	PC	
Sullivan, Barbara	Halton Centre	Lib	
Sutherland, Kimble	Oxford	NDP	Government whip, Vice-Chair, standing committee on finance and economic affairs
Swarbrick, Hon Anne	Scarborough West	NDP	Minister without Portfolio responsible for women's issues
Tilson, David	Dufferin-Peel	PC	
Turnbull, David	York Mills	PC	
Villeneuve, Noble	S-D-G & East Grenville	PC	Second Deputy Chair of the Committee of the whole House
Ward, Brad	Brantford	NDP	Parliamentary assistant to the Minister of Skills Development
Ward, Margery	Don Mills	NDP	Parliamentary assistant to the Minister of Government Services
Wark-Martyn, Hon Shelley	Port Arthur	NDP	Minister of Revenue
Warner, Hon David	Scarborough-Ellesmere	NDP	Speaker Co-Chair, special committee on the parliamentary precinct
Waters, Daniel	Muskoka-Georgian Bay	NDP	Parliamentary assistant to the Minister of Tourism and Recreation Vice-Chair, standing committee on resources development
Wessenger, Paul	Simcoe Centre	NDP	Parliamentary assistant to the Attorney General
White, Drummond	Durham Centre	NDP	Chair, standing committee on administration of justice Vice-Chair, standing committee on the Ombudsman
Wildman, Hon Bud	Algoma	NDP	Minister of Natural Resources, minister responsible for native affairs
Wilson, Hon Fred	Frontenac-Addington	NDP	Minister of Government Services
Wilson, Gary	Kingston and The Islands	NDP	Parliamentary assistant to the Minister of Culture and Communications
Wilson, Jim	Simcoe West	PC	
Winninger, David	London South	NDP	Parliamentary assistant to the minister responsible for native affairs

Name of member	Constituency	Party	Other responsibilities
Wiseman, Jim	Durham West	NDP	Chair, standing committee on finance and economic affairs
Witmer, Elizabeth	Waterloo North	PC	
Wood, Len	Cochrane North	NDP	Parliamentary assistant to the Minister of Natural Resources
Ziemba, Hon Elaine	High Park-Swansea	NDP	Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations

COMMITTEES OF THE LEGISLATIVE ASSEMBLY

STANDING COMMITTEES

Administration of justice

Chair: Drummond White
 Vice-Chair: Mark Morrow
 Members: Gary Carr, Robert Chiarelli, Derek Fletcher, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, Evelyn Gigantes, David Winninger
 Clerk: Lisa Freedman

Estimates

Chair: Cameron Jackson
 Vice-Chair: Margaret Marland
 Members: Gary Carr, Hans Daigeler, Will Ferguson, Karen Haslam, Paul R. Johnson, Wayne Lessard, Dalton McGuinty, Lyn McLeod, Anthony Perruzza, Gary Wilson
 Clerk: Franco Carrozza

Finance and economic affairs

Chair: Jim Wiseman
 Vice-Chair: Kimble Sutherland
 Members: David Christopherson, Norman Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Chris Stockwell, Barbara Sullivan Brad Ward, Margery Ward
 Clerk: Todd Decker

General government

Chair: Remo Mancini
 Vice-Chair: Michael A. Brown
 Members: Donald Abel, Gilles Bisson, Dennis Drainville, Noel Duignan, Margaret H. Harrington, George Mammoliti, Bill Murdoch, Yvonne O'Neill, Ian G. Scott, David Turnbull
 Clerk: Deborah Deller

Government agencies

Chair: Robert W. Runciman
 Vice-Chair: Allan K. McLean
 Members: James J. Bradley, Robert Frankford, Bernard Grandmaitre, Karen Haslam, Pat Hayes, Dalton McGuinty, Tony Silipo, Chris Stockwell, Daniel Waters, Jim Wiseman
 Clerk: Douglas Arnott

Legislative Assembly

Chair: Noel Duignan
 Vice-Chair: Ellen MacKinnon
 Members: Mike Cooper, Robert Frankford, Norman Jamison, Margaret Marland, Irene Mathysen, Carman McClelland, Gilles E. Morin, Hugh P. O'Neil, Stephen Owens, Noble Villeneuve
 Clerk: Douglas Arnott

Ombudsman

Chair: Mark Morrow
 Vice-Chair: Drummond White
 Members: Alvin Curling, Joan M. Fawcett, D. James Henderson, Peter Kormos, George Mammoliti, Bill Murdoch, Margery Ward, Paul Wessinger, Jim Wilson, Elizabeth Witmer
 Clerk: Franco Carrozza

Public accounts

Chair: Robert V. Callahan
 Vice-Chair: Dianne Poole
 Members: James J. Bradley, Sean G. Conway, Mike Cooper, W. Donald Cousens, Christel Haeck, Pat Hayes, Paul R. Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson
 Clerk: Tannis Manikel

Regulations and private bills

Chair: Ron Hansen
 Vice-Chair: Lawrence O'Connor
 Members: Donald Abel, Will Ferguson, Derek Fletcher, Leo Jordan, Ellen MacKinnon, Frank Miclash, Tony Ruprecht, John Sola, Kimble Sutherland, Jim Wilson
 Clerk: Todd Decker

Resources development

Chair: Peter Kormos
 Vice-Chair: Daniel Waters
 Members: Ted Arnott, John C. Cleary, George Dadamo, Leo Jordan, Paul Klopp, Sharon Murdock, Steven Offer, David Ramsay, Len Wood
 Clerk: Harold Brown

Social development

Chair: Elinor Caplan
 Vice-Chair: Joseph Cordiano
 Members: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer
 Clerk: Lynn Mellor

SELECT COMMITTEE

Ontario in Confederation

Chair: Tony Silipo
 Vice-Chair: Gilles Bisson
 Members: Alvin Curling, Ernie Eves, Evelyn Gigantes, Charles Harnick, Margaret Harrington, Gary Malkowski, Irene Mathysen, Steven Offer, Yvonne O'Neill, David Winninger
 Clerk: Harold Brown

SPECIAL COMMITTEE

Parliamentary Precinct

Co-Chair: David Warner
 Co-Chair: Noel Duignan
 Members: Dianne Cunningham, Remo Mancini, Kimble Sutherland
 Clerk: Smirle Forsyth

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Legislative Assembly of Ontario

First Session, 35th Parliament

Official Report of Debates (Hansard)

Monday 23 September 1991

Assemblée législative de l'Ontario

Première session, 35^e législature

Journal des débats (Hansard)

Le lundi 23 septembre 1991



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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Numbering of Hansard

Effective with the opening of the Second Session of the 35th Parliament, Hansard issues and pages will once again be numbered on a sessional basis. Hansard numbering therefore will become consistent with Orders and Notices and Votes and Proceedings, and with other parliamentary publications throughout Canada.

For the last two years Hansard has been numbered according to the calendar year. Under this system, the numbering of issues and pages was restarted with the first issue in the calendar year, regardless of session or Parliament.

Under the new system, the sequence of numbering started in January 1991 will end with the final House and committee sittings of the present First Session. A new sequence will begin on the opening day of the Second Session, and each succeeding session, which will be issue 1 and begin with page 1. Committee reports likewise will be numbered from the first sitting of each committee in a parliamentary session.

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Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 325-7400.

Numérotation du Journal des débats

A partir du début de la deuxième session de la 35^e législature, les pages et les numéros du Journal des débats seront de nouveau numérotés par session. La numérotation du Journal des débats correspondra donc à celle de Feuilleton et Avis et de Procès-verbaux, ainsi que celle des autres publications parlementaires au Canada.

Depuis deux ans, le Journal des débats était numéroté par année civile. Avec ce système, la numérotation des numéros et des pages recommençait au premier numéro de l'année civile, quelle que soit la session ou la législature.

Avec le nouveau système, la numérotation commencée en janvier 1991 s'arrêtera à la dernière séance de la Chambre et des comités de l'actuelle première session. Une nouvelle série commencera le jour de l'ouverture de la deuxième session et des sessions suivantes : numéro 1, page 1. Les rapports des comités seront également numérotés à partir de la première séance de chaque comité pour une session parlementaire donnée.

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 23 September 1991

The House met at 1330.

Prayers.

ELECTORAL DISTRICT OF BRANT-HALDIMAND

The Speaker: I beg to inform the House that a vacancy has occurred in the membership of the House by reason of the resignation of Robert F. Nixon, Esq, member for the electoral district of Brant-Haldimand. Accordingly, my warrant has been issued to the chief election officer for the issue of a writ for a by-election.

FIRST DEPUTY CHAIR

The Speaker: I beg to inform the House that a vacancy has occurred in the office of First Deputy Chair of the committee of the whole House by reason of the resignation of Karen Haslam, member for the electoral district of Perth.

LEADER OF THE OPPOSITION

The Speaker: I beg to inform the House that Mr Elston, member for the electoral district of Bruce, is recognized as leader of Her Majesty's loyal opposition.

BOARD OF INTERNAL ECONOMY

The Speaker: I beg to inform the House that I have today laid upon the table a copy of an order in council numbered OC-1980/91 and dated 16 August 1991 appointing the Speaker, who shall be the Chair, Mr Cooke, Mrs Coppen, Mr Pouliot, Mr Drainville, Mr Bradley and Mr Eves as commissioners to the Board of Internal Economy.

I beg to inform the House that I have today laid upon the table a copy of an order in council numbered OC-2176/91 and dated 13 September 1991 appointing Mr Christopherson as a commissioner to the Board of Internal Economy in the place of Mr Drainville.

LEGISLATIVE PAGES

The Speaker: I would ask at this time for all members to join me in welcoming the fifth group of pages to serve in the first session of the 35th Parliament: Natalie Blachette, Nickel Belt; Jennifer Cho, Sault Ste Marie; Timothy Christie, Elgin; Jeffrey Copenace, Kenora; Nicholas Cryer, Simcoe West; Melissa Cyr, Prescott and Russell; Carolyn Goossen, Fort York; Mark Grassie, Victoria-Haliburton; Benjamin Holmes, Windsor-Riverside; Sarah Jenkins, Simcoe Centre; Christopher Jull, Durham-York; Benjamin Lo, Mississauga West; Amber Locker, Lanark-Renfrew; Scott Maenpaa, Lake Nipigon; Aoife Maguire, S-D-G & East Grenville; Catherine Marlow, Northumberland; Mark Matsos, Burlington South; Tasha Mayer, Bruce; Sarah Mobach, Algoma; Julian Ovens, Ottawa Centre; Henry Rogers, Ottawa-Rideau; Robert Schmidt, Brant-Haldimand; Leah Spicer, Essex-Kent; and Amanda Ward, Rainy River.

Would you please welcome these pages to our midst.

VISITORS

The Speaker: I would also like to inform the members of the assembly that we have in the Speaker's gallery today Mr Philip Wright, who is the Sergeant at Arms from the House of Commons, London, England. Would you please welcome him to our midst.

Also seated in the Speaker's gallery today is a group of parliamentarians and legislative staff representing various Asian countries: Bangladesh, Nepal, Fiji, Western Samoa, Pakistan, the Philippines, Taiwan and Thailand. Would you please join me in welcoming these guests to our gallery this afternoon.

We have an additional guest, also seated in the gallery, the Rev William Roberts, MLA from Edmonton Centre.

MEMBERS' STATEMENTS

GOVERNMENT POLICY

Mr Chiarelli: Last September, the NDP surprised itself and the people of Ontario by gaining a majority government with 37% of the votes, and the ministers and caucus of this government actually believed they had the moral and democratic authority to legislate an ideology. Let us hope that by now ministers have learned that simplistic ideology and service to the people of Ontario are doomed to conflict. Why else would the government have retreated on rent control, retreated on the wage protection plan, retreated on automobile insurance, retreated on Sunday shopping and now a full retreat on its budget policy?

This government needs to start all over. Workers are worried and business is in bunkers. For example, having wasted a year and \$5 million on auto insurance studies, the Ministry of Financial Institutions has shown no direction on pension reforms, on Ontario Securities Commission reforms, on protection for financial consumers, on harmonizing trust company legislation.

This government is gulping salt water as it floats aimlessly in a sea of confusion. The NDP agenda has floated out with the tide and there is nothing but clouds rolling in. There is no Rae of sunshine being seen in Ontario.

NATIONAL WOMEN'S CENTRES DAY

Mrs Witmer: I would like to draw the members' attention to National Women's Centres Day.

The theme for this year's campaign is Keep the Doors Open for Women, a theme which reflects the very serious financial problems faced by many women's centres. As a result of a lack of adequate and stable financial support from the provincial government, some have closed their doors and others are experiencing extreme difficulty in keeping their doors open for women.

Women's centres provide information and resource and support services for women. In addition, many services such as transition houses and rape crisis centres are started and organized by women through women's centres. These centres play an extremely important role in helping women

in their communities identify problems and develop their own solutions. I would like to thank the dedicated staff and volunteers for their service to women.

The 19 women's centres in Ontario may be forced to close their doors if the government does not take action to support them. I would like to take this opportunity to urge the new Minister without Portfolio responsible for women's issues to take a serious look at the way in which these centres are funded and to take appropriate action to indeed keep the doors open for women.

CONSTITUTIONAL CONFERENCE

Mr Drainville: I want to inform the members of this chamber of an initiative being taken by the select committee on Ontario in Confederation which we hope will help in our quest to strengthen and revitalize this nation.

In just over four weeks' time, on October 17, 18 and 19, the select committee is sponsoring a constitutional conference to be held in Hart House at the University of Toronto. Delegates from across Ontario have been selected and invited to participate in the committee's development of its report to the Legislature.

We expect to have 130 delegates who have been chosen to be as representative as possible of the 10 million people of Ontario. This difficult task has been accomplished through a great deal of non-partisan work on the part of all three parties represented here in this Legislature.

Although this is to be a dialogue with and among the people of Ontario, we have invited 20 observers from the other provinces and territories, from native and aboriginal groups and from the three national parties in the House of Commons and the government of Canada. Through this conference we hope to achieve some refinement of the diverse opinions and concerns that have been expressed by Ontarians across the province in order to reach our goal of reporting on what our province's role should be in Canada's future. We look forward with eager anticipation to this historical and momentous event.

1340

LONG POINT REGION

Mr Mancini: I stand in the House today to draw attention to a blueprint for the preservation and enhancement of the Long Point region. Long Point is an outstanding wildlife habitat. Its ecological significance is documented by every level of government, including being named a biosphere reserve by UNESCO.

The area has come under intense developmental pressure. In response to this, the following groups—the Canadian Environmental Defence Fund; the Canadian Nature Federation; the Canadian Wildlife Federation; the Coalition Advocating Responsible Development, Haldimand-Norfolk; the Federation of Ontario Naturalists; Norfolk Field Naturalists, and the Ontario Federation of Anglers and Hunters—which represent over 500,000 Canadians, prepared the blueprint under the title Long Point: Our Common Interest.

The groups want the provincial government (1) to declare Long Point a provincial resource in which it has a provincial interest, (2) to initiate immediately a study of the carrying capacity of the entire Long Point region and

(3) to develop criteria for approving future development in the Long Point watershed.

VICTIMS OF VIOLENCE

Mr Jackson: This summer was a summer of painful tragedy and sad loss for the people of Burlington. On June 29, the dismembered body of 14-year-old Burlington student Leslie Mahaffy was found. Five weeks later, 19-year-old Nina De Villiers was abducted in Burlington and was later found murdered in Kingston. In the words of Nina's father, Dr Rocco De Villiers, "Our families, friends and the wider community have suffered an incurable loss."

These tragedies have shaken all members of the Burlington community, who, to their great credit, spared no effort to demonstrate their support for the families of the victims, whose grief they helped shoulder, especially during the long, anxious searches in the summer heat in which thousands participated. These tragedies have likewise forever shattered the false sense of security of those who think "It can't happen here," and more people took part in this year's Take Back the Night walk in Halton than in all previous marches combined.

Leslie Mahaffy and Nina De Villiers are not only victims but martyrs who serve as cruel reminders of the continuing vulnerability and victimization of women in our society. It is now up to us who honour their memory, and especially the members of this Legislature, to press forward with needed initiatives to protect women and children against violence and to assist the victims.

It is now up to us to move swiftly and decisively to make a safer and more secure future for all women in all communities across Ontario a reality. Only such an achievement can become a meaningful and lasting tribute to the memory of Leslie Mahaffy and Nina De Villiers. May their all too brief time with us serve now as a beacon for these reforms in the weeks ahead.

RECYCLING

Mr Fletcher: Guelph has been a leader in recycling and I have always been proud of that fact. Recently officials from the company Consumers Glass wrote to me to say Guelph and Wellington county's recycling success story has never been more clear.

Consumers Glass is the major purchaser of blue box glass. In the first six months of 1991, Guelph and Wellington county residents recycled 20% more glass than in the last six months of 1990. That is up to 904 tons of glass from 755 tons. Based on these figures, an increase of 43% is expected for all of 1991 compared to last year. The more glass we recycle means more revenue for recycling programs in Guelph and area.

Consumers Glass says that from its familiarity with recycling practices in Canada and the United States, there is no doubt Ontario is currently the leader in glass recycling. So it seems that Guelph and Wellington county are on the cutting edge of glass recycling in the province.

This is merely the latest in a long line of environmental achievements in my riding, where participation in Ontario's blue box program is over 95%. Guelph's blue box program just recently expanded to include aluminum

foil and pie plates. For the month of October a pilot project with Alcan will enable residents to recycle products such as aluminum ladders, pots, lawn chairs and screen doors.

Guelph's wet-dry recycling pilot project has been running for two years. Residents divide their waste into organic matter for municipal composting and dry recyclable wastes for the blue box or city recycling depot. I am proud that the citizens of Guelph, environmental groups and city hall are pitching in with our province's aggressive program of reduce, reuse and recycle.

SHIPBUILDING INDUSTRY

Mrs McLeod: Last night in Thunder Bay and St Catharines, members of the United Steelworkers of America locals held rallies to support a bid that could bring stability to their jobs. Members of this union work at Portship in Thunder Bay and Port Weller in St Catharines, the two remaining shipyards in Ontario. The parent company of these shipyards has bid on a federal contract to build 12 minesweepers.

I do not need to tell you, Mr Speaker, that the economic benefits for Thunder Bay and St Catharines would be extensive if this contract were to be won. At a time when industry in our province is being hard hit, it is imperative that we do everything possible to protect the jobs we now have. The shipyards at Portship and Port Weller have the experience and the capability to undertake these contracts.

We need to be assured that the Ontario bid is being fairly considered by the federal government. I have therefore written to the Minister of National Defence asking him to provide that assurance. I have also written to the Ontario Minister of Industry, Trade and Technology asking him to seek the same assurances. As Ontario's industry minister is aware, this contract could help to save Ontario's two remaining shipyards. I call upon him to do whatever he can to ensure that this contract comes to Ontario.

ELECTORAL DISTRICT OF BRANT-HALDIMAND

Mr Villeneuve: I rise today to call on the government to name the date for a by-election in the riding of Brant-Haldimand. At this time of very real crisis and extreme financial hardship in Ontario's rural and agricultural communities, the electors of Brant-Haldimand need and deserve a voice in this House. Today those people are without representation as the result of the retirement from the Legislature, of the honourable member, our friend Bob Nixon.

Over the course of the summer, since that retirement was announced, the situation in our farming community has grown steadily worse. The farmers of Brant-Haldimand have joined those of Essex and Kent counties and many others that were present in Lucknow recently demanding emergency aid from their government—emergency aid now.

My leader and fellow caucus members met with many Brant-Haldimand residents recently. In that area, and indeed across Ontario, serious concerns about the future of farms and agriculture in general have been expressed. We all have serious concerns about the legislation this government is planning to introduce, yet there appears to be very

little concern on the part of the government in addressing this inequity.

Legislative representation is an essential cornerstone of our democratic process. On behalf of the unrepresented residents of Brant-Haldimand and agriculture in general, I call on the government to ensure that all Ontarians have representation. It should call that election today.

NIAGARA GRAPE AND WINE FESTIVAL

Ms Haeck: I rise once again to extol the virtues of my riding, St Catharines-Brock, and the wine country surrounding it. Niagara is part of Festival Country Ontario, and its citizens have much to celebrate: folk arts in St Catharines in May, peaches in Niagara-on-the-Lake during August, and at this time of year the grape harvest.

Since 1952 the city of St Catharines has been the focal point of this celebration, but the grape growers all the way from Grimsby to Niagara-on-the-Lake, the 25 wineries located there and the Ontario Wine Council all have made huge contributions to the success of the Niagara Grape and Wine Festival. Recognizing that there actually is another wine region in Ontario, those who visit the festival will have the opportunity to sample Colio wines from Essex.

I am happy to say that the festivities this year will be presided over not by a grape king, as in previous years, but by a grape queen, Ms Donna Lailey, a prominent woman grape grower who is being honoured this year for her contributions to the wine industry in Niagara.

Wines, juices, great food and entertainment all this week, and next Saturday one of the largest parades in Ontario—everything is there for the members' enjoyment. I know I speak for the festival organizers and for St Catharines' exuberant mayor, Joe McCaffrey, when I say there is no better place to be in this coming week than at the Niagara Grape and Wine Festival in St Catharines.

1350

VISITOR

The Speaker: Before continuing with the business, I would like to invite members to welcome to our midst this afternoon, seated in the members' gallery, Mr Jack Harris, MHA from Newfoundland.

LEGISLATIVE INTERNS

The Speaker: I also want to welcome a very special group of young people, who are seated in the Speaker's gallery, this year's group of legislative interns, whom I know you will see from time to time around the building. Would you please welcome them to our midst.

LEADER OF THE OPPOSITION

Hon Mr Rae: On a point of order, Mr Speaker: I wonder if I might have the unanimous consent of the House to welcome the new Leader of the Opposition in his new role.

Just very briefly, I know honourable members would want to say at least a couple of words, and I would like to do it before the question period rather than after the question period in case I change my mind. I do want to say to the member that his contribution to this House in opposition and in government has been tremendous and that he

has the personal respect and affection of all of us, and certainly of all of us in the government. I personally look forward to working with him very much in the days ahead.

Mr Harris: I rushed in here so I would have this opportunity to say something nice about my colleague for—what is his riding, Mr Speaker? You could tell my thoughts were elsewhere.

I too join with the Premier and I think with all members of the House in extending our condolences to the member for Bruce. It is condolences. He has accepted on behalf of his party—something that the former member for Sarnia, Mr Brandt, accepted on behalf of our party—one of the most difficult challenges there is for a legislator in parliamentary democracy, particularly here in Ontario. To carry forward that challenge and provide unity and focus as best one can while leadership candidates are running around the province, as I was doing a few years ago, is not an easy task.

I have known the member for Bruce for a considerable period of time on both sides of the House, at House leaders' meetings and when we worked together on the environment away back in the early 1980s, he then as critic and I as a strong progressive in favour of implementing many new environment policies in this province.

It is not an easy challenge; it is difficult. I believe the member for Bruce is very capable of handling it. I know it is a sacrifice that he has made on behalf of the people of this province, and specifically on behalf of his party, which for some reason or other he believes so strongly in.

I join the Premier in welcoming and looking forward to working with the leader of the official opposition of the Liberal Party for whatever period of time his party decides it will take to get its act together. If they are smart, they will do it quicker than our party did.

Mr Elston: Just very briefly, Mr Speaker, thank you for the introduction earlier, and to the Premier and the leader of the third party. It is a pleasure to be here in this role because it is a very important one.

I am here today supported ably by my wife, Trudy, and her parents, Laura and Ed McLeish, who are sitting just up here. It seems like a worthwhile way to kick off our endeavours here in this new session to have full family support in getting down to work to try to get Ontario back to business.

I am proud to say that I followed with some degree of envy the greening of the third party's leader over the summer. I understand he was on the golf course a fair bit. He is tanned and ready to go. Since he could not remember my riding, I just want to tell him there are several good golf courses up around Southampton and Port Elgin and some around Walkerton and Wingham. I can tell the honourable gentleman, the member for Nipissing, that we are ready and willing as a group of legislators to get on with work to see if we can get some folks back to work in Ontario.

I look forward to a very productive time period and I can tell the honourable member for Nipissing that the party is not looking to extend my stay as interim leader too awfully long. I think there should be in due course an

announcement about a permanent successor to our last permanent leader.

STATEMENT BY THE MINISTRY

ONTARIO ECONOMY L'ÉCONOMIE DE L'ONTARIO

Hon Mr Rae: It is with pleasure that I welcome members back to the Legislature for this fall sitting of the House. I am looking forward to a productive and a hardworking session. There is much to accomplish.

It is now clear that Ontario faces its most serious economic challenge since the Great Depression. Unemployment is far too high. We have lost thousands of permanent jobs. Rural Ontario is in difficulty due to the collapse in farm incomes. Nearly a million Ontarians are relying on some kind of social assistance. Unemployment insurance is less effective than it needs to be. There is less trust and goodwill than there needs to be to build the basis for recovery.

Renewing our economy must be the central focus of our work as a province. We must find within ourselves and within our society the basis for a stronger consensus on Ontario's and Canada's economic, political and social future than exists right now.

Au cours des prochaines semaines, les ministres annonceront des initiatives de collaboration avec le monde des affaires, les syndicats et les localités afin de favoriser le renouveau de l'économie ontarienne. Nous travaillerons de concert avec les agriculteurs en vue de relancer l'économie rurale. Nos objectifs sont bien simples : création d'emplois, formation de la main-d'œuvre et stimulation des investissements. Nous nous apprêtons à prendre des mesures qui apporteront de l'aide immédiate tout en plaçant l'Ontario en meilleure position pour profiter de la reprise.

The gap between government, business and labour is far too great. Business has taken the view that Ontario's government is too pro-labour. Labour feels that the Mulroney government is too pro-business. Our two governments have been at odds on most important economic questions. It may be politically convenient for both governments to take shots at each other, but the public interest demands more co-operation. Finger-pointing is a luxury our economy cannot afford. We must improve the climate for jobs and investment and increase the level of trust between the economic partners. I would suggest that the Mulroney government needs to do the same. We can start with some practical examples.

Canada's economy dramatically underinvests in trading, research and development. Government cannot do it all. We must all do more. Workers can buy into change when they see the opportunities in retraining and lifelong access to education. The labour market partners need to take more responsibility in this area.

Deputy Minister Naomi Alboim has been given the responsibility of leading a consultation this fall based on much work and discussion that has already taken place. The province and the federal government have to stop falling all over each other. We are proposing a partnership for

training with Ottawa, business and labour, and we want to see progress start right now.

1400

Ontario's manufacturing continues to go through deep changes. So are all sectors of the economy: services, retail, the financial sector. I have to tell the House that while there are some signs of a modest recovery in parts of our economy, major changes in our core manufacturing base are still happening. The layoffs are not over.

This government needs to and will work more intensively with each sector. Government ministries need to focus on the changes taking place in those sectors that are crucial to the economic future of Ontario and to develop policies and programs that will keep these industries productive and competitive.

In aerospace, for example, our decision to seek a partnership with the European consortium of Aérospatiale SA and Alenia SpA in the ownership of de Havilland is based on our view of the strategic importance of this industry for Ontario and Canada, the fact that government participation is essential for its future here, as it is in the rest of the world, and that we cannot afford to simply watch what happens from the sidelines.

Ce gouvernement a eu à répondre à un bon nombre de crises économiques qui ont frappé les entreprises et les collectivités. Cela se produira encore. Nous avons démontré que nous pouvons travailler avec tous les partenaires économiques en vue d'aider à résoudre des problèmes pratiques. Il est important et même critique de commencer à sauver des emplois.

These crises which have happened over the summer and with which I have been personally involved as Premier point out several truths: Our industries have to be able to buy and sell in Canadian and world markets at competitive prices or they will not be able to survive; Canadian workers are willing to make sacrifices when they know they are being treated fairly; investment capital must be innovative and timely and look to the long term; and the organization of government must be mobilized more creatively to deal with the challenge of economic renewal in many different sectors of the economy.

These problems have convinced the government that we have to change our tax laws to make it more attractive for workers to invest in their own futures. Worker ownership and worker participation in ownership are going to be a necessary part of Ontario's recovery and renewal. We need the co-operation of the federal government to make this program work.

We are also going to need the co-operation of business and the federal government as we work to help people get off welfare and back into the workforce. The federal cuts in unemployment insurance have put thousands more Ontarians on the welfare rolls of the province and the municipalities. With nearly a million people in this province now depending on social assistance, we need a sustained effort to get people off welfare and back to work.

We need to be more aggressive in searching for new industries, in promoting them and their connection with our current strengths. We are going to be doing more, for example, to identify those areas, like environmental and

green industries, for example, where we can make breakthroughs because of our own policies on recycling and cleaner air and water, because of our universities and our knowledge base, and because of our priorities as a province.

There will always be those who will say that the answer is simply for the government and labour to get out of the way. The difficulty for this approach is that it ignores the public's demand for a cleaner environment and better services, and that it ignores the reality in an economy such as ours that public investment is a necessary partner.

That is even more true of the labour movement. I have heard criticisms from the business community of proposals for labour law reform. I want to stress that what we do as a government will follow real consultation with business, labour and the general public. But this government believes that worker participation and the right to organize are important and valuable and in a modern firm can contribute to greater productivity. Power and responsibility go together. Increase trust, create mutual self-confidence, stop the sense that every dispute is about survival itself. These are all ways to promote stability and better industrial relations, and that is exactly what this government wants to do.

We also recognize that an improvement in the quality of our industrial relations is crucial for Ontario's future. Suspicion between labour and management, between both parties and government, has to be broken down. If this does not happen, our ability to attract and hold investment will be seriously affected and any proposals from this government will reflect that fact.

We shall continue to work intensively with the private sector and other provinces to effect a change in federal exchange rate policy. We have to recognize that the high dollar is severely limiting our capacity to maintain market share in our most important and valued export market, the United States. I intend to raise this issue in a constructive way with the federal government and with the governor of the Bank of Canada, John Crow.

Concerns have been raised by them about wage settlements and about levels of public debt and about the connection between these factors and high interest rates and a higher dollar. I say to them and I say to the House that we need a national strategy, in which Ontario would very much like to be involved, that will allow us to get the dollar down and to keep interest rates at an affordable level.

It is in no one's interest to see inflation take off again, nor does it make sense to have our interest rates and dollars at levels that make it more difficult than necessary to keep us competitive in foreign markets. This government supports the decision by the federal government, and I hope the House would support it as well, to end the 15% softwood lumber export tax.

We are also concerned that Canada's steel exports get treated fairly in the United States. We are determined to work with the federal government to ensure fair access for our products in the US marketplace. I discussed these issues with Canada's ambassador to the United States, Derek Burney, last week and I shall be raising them with

the governors of many midwestern states who are meeting in Milwaukee next week.

I shall be meeting with the Premier's Council on Economic Renewal later this week to discuss these issues and to ask its advice on this agenda. I also need and look forward to receiving the advice of the House. We can and we will succeed.

RESPONSES

ONTARIO ECONOMY

Mr Elston: It is interesting to note that we have had here what amounts to a new throne speech. Perhaps our waiting for a new Lieutenant Governor has been all that has been in the way of this government completely removing itself from its first statement to the people about what it intended to do.

It is about as full of concrete activities as we could ever expect from the government, and perhaps it is about the same as you would expect from a throne speech. It is also, if I were to do the critical analysis, an interesting juxtaposition of a request to end finger-pointing when all through the entire debate there were fingers pointing at everybody but themselves. I find that highly unconstructive and I find it highly indicative of the problems in which this organization finds itself.

Yes, we are prepared to work hand in hand with these people to try and get Ontarians back to work, if these people will share openly and without hesitation the information that the opposition needs to actually work along with them in a timely and, more important, in a sensitive fashion so that we can create new jobs.

But we have to have the information. We cannot be faced with secretive droppings of information here or there to somebody in the right media location; we cannot be faced with documents being written which talk about putting down one group in society's concern about the way this government is going; we cannot be faced with an NDP organization that is writing fund-raising letters on the basis that it is creating suspicion and undermining the role of business in creating jobs in this province. We cannot be faced with all of these contradictions, which are not evident in this new statement by the first minister of the province.

How he can expect that we can accept at face value these words written today, after we have been moving for months and months to try to get Ontarians back to work to try and construct a very good way of developing new jobs for Ontario, is beyond belief. This gentleman will have our co-operation if he provides us with the means by which we can be constructive. I will pledge to bring forward the types of ideas that the member for Etobicoke-Rexdale would only wish he had time to remember when he gets back to his office.

We have lots of things to do, and there has been a request by this Premier that we do them in a new fashion in this Legislative Assembly, with some sense of restraint as it comes to being disillusioned with the types of activities this government has so far undertaken, with some removal of the angst that has affected some of the past discussions in this place. I pledge myself to that, if he only shares with us in a way which will allow us to do the work

the information we need to also be credible partners in what has got to be a renewal of the province of Ontario.

1410

Mr Phillips: I might just add a couple of thoughts to the Premier. One is that he very much is looking forward, I know, to goodwill on both sides. We are very much looking forward to the Treasurer's statement on the budget soon. I might say, in the interest of goodwill, that we went through five weeks of hearings on the budget. I frankly was a bit disappointed, because the NDP orchestrated so many people to come and speak in favour of the budget that it was not an exercise in goodwill. Members cannot deny that; that is a fact.

The second thing in the document mentioned by the Premier is that the Labour Relations Act was only in its tentative stages. I might say that anyone who has read that cabinet document realizes it was in its very final stages. The Premier in his remarks today said that they are open to consultation, but the problem we run into is that we have "open to consultation" and then we see a cabinet document where the Labour Relations Act was in its very final stages. This is what causes mistrust and lack of goodwill.

The third thing I would say is that the Premier is looking for the economy to get rolling at the very same time as we see Hydro rates going up this year by 12%. I gather the plan is that they will go up for the next two years at the same rate, so just at the time when we are trying to get the economy rolling we see contradictory statements.

So certainly we look forward to a sense of goodwill, but we need some tangible examples of goodwill on behalf of the government so that we can work co-operatively to get this economy rolling again.

Mr Harris: I first of all want to congratulate the Premier for making an absolutely correct decision on automobile insurance for this province. It is not in his statement, but I think it is implied.

Second, I really do appreciate the opportunity to respond to this statement, which I accept in the spirit that it was given as an astounding admission that the government of Ontario for the past year has been heading 180 degrees in the wrong direction.

I read through the statement and looked at the rhetoric and it was much like a letter I wrote to the Premier back on August 8 suggesting the types of responses, other than finger-pointing, that should be coming forward from the Premier, and our desire and willingness to work with the Premier on this new direction I have heard from him today, in his embracing the private sector on automobile insurance and in many other areas where they can deliver services Ontarians need cheaper, better and more efficiently than government can.

I want to mention a couple of things. The rhetoric is right when he talks about greater co-operation with the federal government. The leader of the Liberal Party has pointed out that the NDP obviously has not caught up to the Premier on this, but he is head of that party as well. I hope it is reflected as well that that type of rhetoric does not come from his party.

I might suggest to the Premier as well that he talk to his Minister of Agriculture and Food. The Minister of Agriculture and Food just a week ago in a statement to the farmers at the plowing match went to great pains to point out where he felt the federal government was favouring other provinces over Ontario. It was not a view shared by the Ontario Federation of Agriculture. In fact, they were offended. When asked by the media, the minister said, "Well, they came out with a program and only Saskatchewan was smart enough and quick enough to get in on it and we weren't ready," and that was his example of bias. That type of nonsense must stop. I accept the Premier's statement today as a message to the people, to the federal government and to us, and I hope his cabinet ministers are listening as well.

The Premier says on page 4, "These crises point out several truths: Our industries have to be able to buy and sell in Canadian and world markets at competitive prices, or they will not be able to survive." That is the right rhetoric; there is no question about it.

We are happy to hear him now using the same rhetoric we have been using for the past period of time. Our caucus has been imploring him to get on that agenda for the last year. We will be diligent and co-operative in seeing that this rhetoric is translated into action because we believe the biggest impediment to a competitive economy is government itself.

The Premier goes on to say, "We have to change our tax laws to make it more attractive for workers to invest in their own futures." We must change our tax laws, we must change our whole modus operandi to make it attractive for anybody anywhere in the world, including our own workers, to be able to say, "Ontario is a good place to invest."

On page 5 he talks about government proactive intervention to lead the way in environmental technology and to capitalize on our environmental initiatives in this province. I applaud the Premier if he will look at the best program, the \$1-billion announcement I made in the last campaign, where I outlined how we should move in this direction, how we should quit wasting money on jobs producing uranium at five times the world market price, \$417,000 per job, and how we should move to those things we are good at, where we have a reputation, and take those dollars and invest in that.

I laid out quite a comprehensive plan to take the billion dollars Peterson was wasting and the Premier has carried on wasting on old technologies, on aircraft plants that cannot compete and on old mines that cannot compete. Let's get on with what we are good at. I will send that proposal to the Premier and work co-operatively with him on it.

The Speaker: It is time for oral questions.

Mr Elston: Just before we start that, Mr Speaker, I have somewhat of a complaint to make before we begin our questioning. My immediate predecessor and the first minister of the province, when he was in opposition, had the able assistance of Mr Gerry McAuliffe giving daily radio broadcasts upon which to base questions. I think the Premier has helped to make sure Mr McAuliffe is no

longer with us but is working down at the east end of the second floor.

I just wish to tell members that we are operating at a slight disadvantage without Mr McAuliffe's able help to the opposition, and perhaps at some point we could interview Mr McAuliffe in his new position. I thought that would be an interesting way to begin.

The Speaker: If you are able to survive without Mr McAuliffe, could we start?

1420

ORAL QUESTIONS

ASSISTANCE TO FARMERS

Mr Elston: On a more serious note, we have had the statement of the first minister about economic renewal and I would like to visit the mind of our friend the member for Hastings-Peterborough, the Minister of Agriculture and Food, because we recognize agriculture as one of the key components in an economic renewal in this province.

There are over 500,000 people involved in working in agriculture in the province and I should like to know from the member for Hastings-Peterborough—

Interjections.

Mr Elston: Mr Speaker, could you feed the turkeys over here just for a minute? They are all gobbling away.

There is a crisis in agriculture. There is a 35% decline in prices for grains and oil seeds. The livestock industry is hard hit. Fruit farmers down in the Niagara Peninsula are also facing devastating problems with the resultant lack of options for them.

The Minister of Agriculture and Food announced he was going to be putting his hands on extra money in the Treasurer's vault and delivering it to the farmers of this province. When is he going to start to address the \$124-million problem which was brought to his attention last week at Lambton county's international plowing match version?

Hon Mr Buchanan: The problem is serious. The government has recognized that. As the interim Leader of the Opposition knows, I have been travelling the province to get a grasp on the seriousness of the situation. The problem is complex. The problem is very serious in terms of grain and oil seeds and the export prices we get. There are other problems in the Niagara area. There are problems down in the Essex—

Interjections.

The Speaker: Would the minister take his seat? In order to proceed with a proper question and answer period, it is necessary for people to listen when responses are given. I ask the Minister of Agriculture and Food to continue with his response.

Hon Mr Buchanan: I was trying to point out that the problem is multifaceted. There are many parts to the problem.

Interjection.

The Speaker: Would the member for St George-St David come to order.

Hon Mr Buchanan: We have been doing an analysis and I have been working on a package which would recognize the different difficulties across the farm community as it appears in the Niagara region, as it appears in Essex-Kent and as it appears in the grains and oil seeds sector. As the Premier noted in his statement, we are working towards a package in terms of economic renewal. Agriculture is important and we intend to address the concerns and the serious situation we have in the farm community.

Mr Elston: Not that long ago I was at a meeting of over 1,000 people who are angry and frustrated about the lack of activity of this government with respect to agricultural problems in Ontario. It has been a year now and so far the agriculture minister has been unable to tour the crop-damaged areas in Essex and Kent. He has been unable to meet with major farm groups to talk specifically about the problems in agriculture except as they happen to come together in various locations. His government has been unable to arrange an emergency debate in the standing committee on resources development which, all the members agreed, should be held before we got back to this House, and only now are we getting down to business.

Having said that he is going to provide the assistance, and since the minister has acknowledged that this money for the farm community is needed now, can he tell us precisely when he will be making the announcements of the increased funding for agriculture in Ontario?

Hon Mr Buchanan: I cannot announce today any date of future announcements, but I would like to correct the member's statements that I have not visited the drought area. I have toured farms in the Kent county area. I have also visited farms in the Essex area and many other counties including Elgin and Middlesex, and have a good idea of what the problems are.

The \$125 million the member alluded to earlier does not necessarily have to be all made up by the provincial government. The farmers and the farm organizations are aware of that. We are willing to co-operate with the federal government in order to that. We are willing to do our share. I would like the leader of the Liberal Party and his friend the leader of the third party to work with me. We will go down to Ottawa to see whether the federal government is willing to put up its money as well.

Mr Elston: We have already had Mr Mazankowski saying at the federal level that there will be no new money for agriculture in Ontario, and perhaps in Canada as far as that goes, but can the Minister of Agriculture and Food tell us that his government is prepared to move without new federal government money to assist the farmers of this province, not in 6, 7, 8 or 10 months which is what it seems to take to get the government to turn around, but right away in the next couple of weeks so that they can survive this year's devastation in prices and in drought problems?

Hon Mr Buchanan: I just said we recognize the seriousness of the problem. We intend to address it as quickly as possible. In terms of touring the province, I believe the analysis has now been done as to where the problems are and the best way to address them. We are willing to act

quickly. The member will not have to wait until next year. With former governments, I might add, many times a program was announced. The farmers have been telling me across the province, "We don't want you to be like other governments, to announce a big program with a price tag on it and we never see the money for a year or two down the road." We intend to do better than that.

Mr Elston: I am happy to hear he will do better and we will make sure we measure his performance against what he delivers not too long from now.

BUDGET

Mr Elston: I have a further question today to the Treasurer, who unfortunately was unable to make the economic renewal statement the first minister stole from his desk, or something along those lines. Having got what amounts to a new throne speech, and since they were so wrong in the throne speech, I want the Treasurer to tell us when he will come forward with a new budget and admit that the government has abandoned the budget he dropped on the people of the province this past May.

Hon Mr Laughren: I think the interim leader of the official opposition would not be surprised to learn that I do not intend to bring in either a budget or a statement that denies the thrust of the budget we brought down in the spring. I believe now, as I did then, that Ontario has been in a recession that is worse than any this province has seen since the Second World War, that the recovery from this recession, which is barely starting now, is going to be sluggish and that we are going to have unreasonably or unacceptably high unemployment for the next two or three years at least, so it is going to be a tough time. On the other hand, and I am sure I will hear further, I do not see why the interim leader of the official opposition would imply that something has changed in terms of how we intend to manage the Ontario economy. I do not think anything has changed in terms of how we intend to manage the Ontario economy.

Mr Elston: Unlike the Treasurer, obviously, I have been listening to his leader. He has been talking about cutting back and taking away funding that has been previously put in the budgetary process of this province. I wonder why the Treasurer, having released his first-quarter results just last month which showed them to be right on track, now has discovered he is going to be cutting hundreds of millions of dollars out of that budgetary plan if the budget was on track then and continues to be on track. If it is not on track, when will he give us the real state of affairs in the province so we can get down to work getting Ontarians back to work?

Hon Mr Laughren: Perhaps I could correct an erroneous impression some people have that we have somehow changed directions. The fact of the matter is that in the budget that was brought down in the spring, there was an intention that we would spend about \$52 billion this year. That is still on track. That is still our intention. Some things have changed. There have been some very remarkable pressures on our expenditures, but we are determined that we are going to keep our expenditures under control.

We are not going to allow the deficit to go beyond what is already a high figure of \$9.7 billion. For the interim leader of the official opposition to imply that somehow we have changed direction is simply not true. We are simply determined to keep control of the expenditures so that our deficit does not exceed what already has been outlined in the budget. Finally, the interim leader asked when I was going to make a statement detailing the state of the Ontario economy. It is my intention in the next week to bring forth a statement which will indicate specifically the way in which we intend to manage our expenditures based on revenues we anticipate for the rest of this year.

1430

Mr Elston: I do not understand why he did not tell me that the first time I asked the question. He has just said that he is bringing in a new economic statement for the fall next month, which is basically telling us, first of all, why he is changing the expenditure plan he had before and, second, how he is going to be managing the problems that he foresees at the moment.

Having admitted that he is already in the process of preparing this statement for the province, can the Treasurer tell us why he has been so reluctant to answer my questions head-on and say he is prepared to tell us, but later in the year, how he is going to change the direction of his expenditures to keep them at the \$52-billion level that he said they are going to be meeting this fall?

Hon Mr Laughren: First of all, I will repeat that we are not changing our position on our expenditures for 1991-92. What I tried to tell the leader was that there are unusual pressures building in the Ontario economy because of the recession that mean it is going to be tougher than we thought to keep at that level of \$52 billion.

Interjections.

The Speaker: Order.

Hon Mr Laughren: Finally, may I remind the interim leader of the official opposition that this government needs no lessons from him in predicting numbers when it comes to the Ontario economy. He has already proven that.

Interjections.

The Speaker: New question. The member for Bruce, on a point of something.

Mr Elston: I just wanted to tell the Treasurer that the interim leader has changed on the Liberal benches. I am not quite as sensitive to his barbs about planning.

ASSISTANCE TO FARMERS

Mr Harris: I find it not surprising, but disappointing: Only the Liberal Party and the New Democratic Party could think \$9.75 billion is a worthwhile goal as a deficit for this province.

I have a question for the Premier. I am asking the Premier this question because we have heard from the Minister of Agriculture and Food, who says he is committed and going to do all these marvellous things, but obviously he has not got the Premier's approval or cabinet approval or the Treasurer's approval to really do anything.

Over the past year, the Premier has shamefully ignored more than 60,000 farm families who grow food for our province. I wonder if the Premier can explain to me—and he has told me he is going to have to reassess priorities; I agree with him and I applaud that, as I said in my statement earlier—why his government was able to find 14.5% new money for the civil service in one year, but not one cent of new money for 60,000 farm families of this province?

Hon Mr Rae: I think the answer that was given by the Minister of Agriculture and Food is a good basis upon which to respond to the leader of the third party. First of all, the minister has worked tirelessly throughout the summer in meeting with people and assessing the problem, its seriousness, and in discussing with them what needs to be done. He is now coming back to cabinet with a report on what he and our other members have found. We look forward to hearing from you, Mr Speaker, and others with respect to what needs to be done. We will then make an assessment with respect to that recommendation.

We found substantial moneys in the last budget with respect to establishing new programs on income support for farmers. We now find a very serious situation which has taken place through the summer, and I can assure you, Mr Speaker, that we are going to do the very best we can to respond to those who are in greatest need.

Mr Harris: I do not think it is a mystery that has just come forward this summer that farm income in this province will decrease by a minimum of 15% this year. We knew that last spring when the budget was brought in, and nothing has changed. In fact, the situation is worse.

Mr Speaker, through you to the Premier, his government okayed increases for some civil servants of as much as \$11,000 per year per person over and above the salaries and the benefits and job security they already enjoyed, while the private sector was in a recession and while farm families were experiencing a reduction in their meagre incomes. I, as well, spent a good part of this summer meeting with farmers. Some \$11,000 new money for people who are pretty well paid is just about 50% of the total income of these farm families I am meeting with.

I am going to be meeting with two other groups of farmers this week in different parts of this province. Can I tell them that the Premier is seriously going to re-examine the priorities that saw some \$10 billion of new spending, this huge deficit, and not one new cent to farmers since the budget was brought in?

Hon Mr Rae: The leader of the third party can tell them what I have told them and what the Minister of Agriculture and Food has told them, which is that we are going to respond as effectively as we can, given our means and given the economic situation that we face. We are going to respond as effectively as we can, and I can assure him, with the Minister of Agriculture and Food being here, that we are going to respond in order to meet the needs that are really there.

We know the farm economy is hurting. I can assure the honourable member that it is a subject to which we are very sensitive. The cabinet has already spent some time discussing it and we are going to be spending more time

discussing it, but I can assure him it is a subject we take enormously seriously and we are going to respond as effectively as we can.

I would say to the honourable member that I do not think anything is helped by setting one group in our society off against the other in trying to find a solution to this.

Mr Harris: By way of final supplementary to the Premier, if he is serious about setting priorities, then some things will get funded and some will not. Hopefully, whether it is welfare or health care or wherever he is going to put his subsidy dollars, they will go to those whose needs are the most, where we can have an impact.

I think it is then fair that I look at where the Premier is putting his money. I point out to him a group in society, some 60,000 farm families—and our rural community perhaps affects the income and life of in excess of a million people—who have received nothing. At the same time, it was no problem to instantaneously find over \$150 million for de Havilland Aircraft of Canada Ltd. At the same time, it was no difficulty to say we will have even more money for de Havilland; we want to become a shareholder for 4,500 jobs. It appeared to be no difficulty to find \$250 million to save 600 jobs in Elliot Lake.

Some \$150 million for de Havilland or \$250 million for 600 jobs in Elliot Lake—that is more than farmers say is necessary. Can the Premier imagine what that kind of money would do for 60,000 farm families at the low end of the totem pole, and about a million people in agricultural and rural Ontario who would dream of having half the income of the workers at de Havilland or the miners in Elliot Lake?

Hon Mr Rae: If we were to have walked away from the people of Kapuskasing, if we were to have walked away from the people of Elliot Lake, or if we were to have walked away from the aerospace industry in this province, I suspect that the leader of the third party would be the first person to stand on his feet and quite rightly criticize this government for having done so—if we were ever to have done that.

All I can say to the leader of the third party is that I see no benefit in saying that the people of northern Ontario or the people of Elliot Lake or the people of Kapuskasing are any less worthy or more worthy of the attention of this government than the people living in rural Ontario. We know the farm economy is hurting. We know our obligations to them, and we are going to respond in as timely and effective a way as we possibly can. That is exactly what we intend to do.

1440

LABOUR LEGISLATION

Mr Harris: My second question is to the Minister of Labour: If ever there was a segment of our society facing substantial intervention by governments around the world, it is the agricultural sector. However, there are substantial areas of our economy that are moving towards the marketplace in this world of ours, and that is where the minister is putting all his dollars: where the big unions are, where the big vested interests are, where the money for the NDP is.

In the past year, Ontario has lost 250,000 jobs. Businesses are leaving the province in droves, yet this government is proposing labour legislation which will further cripple the ability to compete by increasing the cost of doing business in Ontario.

Could the minister tell this House what impact studies the government has done to determine how many further jobs will be lost as a result of the minister's labour proposals, and would he table those impact studies for this Legislature so, as the leader of the Liberal Party said earlier, we can all have the information in trying to work co-operatively to solve our problems?

Hon Mr Mackenzie: I am sure the leader of the third party knows that what we are trying to do, given the difficult times in Ontario, is to reach a level of co-operation rather than confrontation that can lead us in to some of the changes that are needed. I would hope that the leader of the third party has as much respect for all sides of this equation, including workers, as I do.

Mr Harris: This government talks incessantly about consultation, yet who does the minister consult with these proposals? The only people I can find to date representing employers, the business community, large and small, have been the lawyers who stand to gain the most from more confusing and conflicting legislation. The minister did not consult with people who have to make the tough decisions, he did not consult with the small business owner, he did not consult with the corner store owner, he did not consult with the associations of small business in this country and this province, and he did not consult with those people who may have to lay off staff or with the workers who may lose their jobs.

Why has the minister thus far chosen to isolate himself from the people who will directly suffer harm from his government's poor judgement and to consult only with the union organizers and big labour leaders? That is the only consultation we have seen in any of the minister's proposals so far. Why is that? Why will he not consult with the people?

Hon Mr Mackenzie: If the leader of the third party would give us a little time and would understand the process, he would know that we are not dealing with legislation as yet. We are dealing with a series of suggestions and proposals that have not gone through the consultation process and that will be going through the consultation process.

Mr Harris: This government is spending all its time and effort to try to find out who is bringing information to the public light of day instead of worrying about sharing that information itself and being consultative. We might be getting somewhere. While that is going on, this province is being run into the ground by the Bob Brothers. Brother Bob White wrote the labour legislation, Brother Bob Mackenzie is going to legislate it and Big Brother Bob Rae will give it his okay.

To the minister and the Brothers Bob, the government has no impact studies on businesses, large or small, no impact studies on job losses, no impact studies on productivity, or if it has, it will not table them or refuses to table them. How does the minister answer the very widespread

sense and fear that many segments of Ontario are expressing publicly, and to me privately, but also in the newspapers, that this proposal and the proposed labour legislation is nothing more than, one, payback time for the big union bosses who support his party, or two, a move to have more unionized workers in this province who contribute substantially to the coffers of the NDP?

Hon Mr Mackenzie: I would be interested in knowing whether the leader of the third party believes that working people in this province should be involved in any way, shape or form whatsoever in decisions that are going to affect their future.

BUDGET

Mr Elston: I wish to—

Interjections.

The Speaker: Order. The rest certainly energized, did it not? I think now we are relaxed and ready for another question. The Leader of the Opposition has been waiting patiently to place another question.

Mr Elston: Back to the Treasurer for a moment, because he did tell us that he was not going to increase the deficit, that he was not going to increase expenditures beyond \$52 billion or thereabouts, plus he indicated that there was a bit of a slowdown in recovery from the recession. Can the Treasurer tell us if his expenditure targets are on line and in fact will not deviate from his budget plan?

Hon Mr Laughren: If we did not take actions to contain the growth in expenditures this year, we would not achieve the expenditure number of \$52 billion, nor would we subsequently achieve the deficit figure of \$9.7 billion. I think what the leader is asking is to what extent we are going to achieve that number. It is my belief that if we are very careful and manage those expenditures expeditiously and do some reallocation of projected expenditures, we will indeed come in with the numbers that were projected in the budget. That is our intention.

Mr Elston: Can the Treasurer now tell us that his revenue projections in the budget of last year are completely on target and that no tax increases or tax modifications are in line for the fall?

Hon Mr Laughren: As a matter of fact, when I was reviewing all of the expenditures and the pressures therein and then looked at the revenues line by line for the province, the revenue projections were almost spot on, our own revenue sources. The last report we had from the federal government was in August, which told us that its projections for revenues that it passes on to us were also in keeping with what it had predicted. To answer the member's question directly, yes, there were enormous pressures on our expenditures, but our revenues were almost spot on what we had projected in the budget.

1450

LABOUR LEGISLATION

Mr Harris: I have another question for the Minister of Labour. The city of Toronto has just suffered eight days of chaos and inconvenience as a result of the Toronto Transit Commission strike. Businesses lost money. Some were

forced to shut down during the strike. One self-employed woman, who lives in the Premier's riding, by the way, called to say that she could not get to her clients, that she was in increasing danger of facing bankruptcy every day the strike continued. The reality is that public transit in Toronto has obviously become an essential service. Would the minister tell us when we can expect legislative changes that will prevent this from ever happening again in Toronto?

Mr Bradley: There was only one bus running.

Mr Hope: Whose bus was that, Jim?

Hon Mr Mackenzie: I think the leader of the third party knows that we got the people and the drivers back to work as quickly as you could get them back to work in the city of Toronto, and we got it without destroying the collective bargaining system as well.

Mr Harris: Quite frankly the government's lack of action, in my view, was shameful. The city of Toronto came to a grinding halt for eight days. Three quarters of a million commuters were stranded. The stats from the TTC are that 20 million riders will be lost annually, never to return to the TTC, as a result of the government's inaction over that eight-day period.

Mr Hope: The Harris bus line.

Mr Harris: I also speak, as one interjectionist said, with some knowledge because I personally was out there giving people rides the better way. We were getting people to their jobs. We were getting students to school. We were getting people to doctors' appointments. We were getting people to hospitals who otherwise were not able to get there.

This afternoon I will be tabling a private member's bill that will acknowledge once and for all something that everybody knows, that all three parties know, that even this party which was prepared to legislate them back to work knows, that obviously transit today—and maybe it was 10 years ago and the government did not have the guts to acknowledge it, and maybe it was two or three years ago and the government did not have the guts to acknowledge it—is an essential service.

Can the people of Toronto count on his support for my private member's legislation, or for his own legislation, to make sure there are better ways to solve disputes in an essential service like public transit?

Hon Mr Mackenzie: I want the leader of the third party to know that if I were going to consider any such move, I would at least want to go through the consultation process he was just giving us hell about not going through.

HEALTH INSURANCE

Mr Waters: I wish to address my question to the Minister of Health. A number of seniors in my riding have approached me recently, concerned about her ministry's shift in policy with regard to out-of-country medical coverage. They are seniors who regularly move to the United States during the winter months to take advantage of the warmer weather. They are concerned that now they will not receive sufficient medical coverage. Would the honourable minister please explain to the House what her ministry has done to deal with this serious problem?

Hon Ms Lankin: I have seen a lot in the news coverage of the last few weeks about this issue of the change in policy with respect to out-of-country OHIP payments, particularly as it has an impact on our seniors who vacation and live up to six months of the year in Florida. Some of the coverage has been very full in terms of putting it in an overall context, and some of it I think has been unfortunate and has led seniors to believe they are being singled out in some way, so I welcome the member's question to take this opportunity to clarify.

We have found over the past few years that the costs of our out-of-country OHIP payments have more than doubled. We are paying about \$200 million a year. The members in this Legislature will know we made a statement about changes to the policy to try and curtail that cost.

With respect to seniors in Florida, I think it is very important that people realize what we have been doing is subsidizing the US health care system, which is a private-sector-based, for-profit system.

What we will be doing is making sure that seniors have medical coverage to the same rate they would be covered here in Ontario. They still have that coverage. We will pay out a fixed per diem rate, the same as it is in Canadian dollars. The changes we have made here in Ontario will bring us in line with what all other provinces in this country are doing currently.

Mr Waters: I wish to thank the minister for this information. I am glad to see this issue is being addressed. There is a great need to communicate a change in policy which affects a wide number of people. Would the honourable minister explain to the House what is being done to effectively communicate this change in policy?

Hon Ms Lankin: Members here will know that we made the original announcement at the time of the budget. There was a further statement in the Legislature. We gave details in a press statement back in the spring.

Interjections.

The Speaker: Order.

Hon Ms Lankin: Yes, it is difficult, Mr Speaker. Thank you very much for calling the members opposite to order.

In addition to the statements that were made in the spring, we did further news releases in August. We have advertised in all sorts of dailies and weeklies in up to 36 languages. We have taken out public service announcement ads. We have advertised in Florida papers that are directed to seniors so that seniors will be aware. We have done an article in *Especially For Seniors* to try and explain to seniors and make sure they have the coverage.

I would really also encourage all members of the Legislature to assist us to ensure that seniors who are travelling have the appropriate extra coverage before they leave.

ONTARIO HYDRO RATES

Mr Phillips: My question is to the Minister of Energy. The Premier earlier today gave a statement around economic recovery and job creation, and amazingly enough, almost at the same time, certainly last week, we had Ontario Hydro announcing a rate increase of about 12% for

the upcoming year, with indications that there will be similar increases in the next two following years, which will mean an increase of about 40% in Hydro rates here in Ontario.

What sort of analysis has the ministry done in terms of the impact this will have on economic recovery and job creation, and does the government support a 40% increase in Hydro rates over the next three years?

The Speaker: The Minister of Energy.

[Applause]

Mr Harnick: That is the high point of your career, Will; it's downhill from here.

Interjections.

The Speaker: That was a nice welcome. Now maybe you will let him answer the question.

Hon Mr Ferguson: I certainly want to acknowledge the warm welcome from the third party. I want to advise the honourable member who put the question that the reason we are in the situation we are in today is because of the actions of the third party back in 1977. Unfortunately, the \$13.5-billion bill became due and it must be paid. That is the long and the short of it. It is their fault we are in the mess we are in today.

Interjections.

The Speaker: Order.

Interjections.

The Speaker: That warm welcome lasted a long time. Perhaps the member could be allowed to place his supplementary.

Mr Phillips: It is ironic in the extreme. The Premier, less than an hour ago, got up and said, "We don't want any more finger-pointing; we're looking for co-operation; we want some answers," and then the minister gets up and finger-points, his very first response in the House. You wonder, Mr Speaker, why we are so cynical of the government's response to questions for that very reason.

I repeat my question, and the minister should not point his finger, should not yell at somebody, should just answer the question: Is he in favour of a 40% increase in Hydro rates over the next three years?

Mr Cousens: Suck your finger.

Mr Wildman: Such high-level repartee.

Mr Cousens: It will give him something to do, Mr Speaker.

The Speaker: Order. To all members, including the member for Etobicoke West, we do not need the tone of this to be lowered any more than it already is. Could the minister provide a quick response, please.

Hon Mr Ferguson: Very quickly, Mr Speaker, I do not think any government would be in favour of the speculative 40% rate increase the honourable member suggested. I think, given the historical context in which we find ourselves today, it really underscores the importance of the new energy directions this government has put forward and is committed to completing.

Just for the honourable member's information, today in Ontario it costs approximately \$3,000 to produce a

kilowatt-hour of electricity yet it only costs \$300 to save a kilowatt-hour of electricity. Clearly, continuing to produce it will with no regard for the end result or the bottom line cannot continue. That is why we are following what I believe and what this government believes is a progressive model and teaching people to conserve rather than continuing to produce.

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ONTARIO HYDRO

Mr Jordan: My question also is for the Minister of Energy. May I first pay tribute to the previous minister, of whom I also had the pleasure to be the Energy critic for the Progressive Conservative Party. It was always a pleasure to communicate with her, even though her policies were different. I might at the same time congratulate the member for Kitchener on receiving the appointment as Minister of Energy. He has already demonstrated a great source of energy, but I am sure it is not electric. I suggest it is perhaps one of the fossil fuels.

As the new minister, does he feel it is appropriate to fund social programs through Ontario Hydro?

Hon Mr Ferguson: I think the answer is very clear. No, we have a ministry that does that.

Mr Jordan: The minister has very definitely stated that he is not in favour of funding social programs through the hydro bills to the people of Ontario, yet there is an amendment to the Power Corporation Act which gives the Minister of Energy the power to issue directives to do just that. What assurance does the minister give that major policy directives issued will be presented to the people of Ontario through this Legislature, not directly to the board, before demanding Ontario Hydro implement them?

Hon Mr Ferguson: Amendments dealing with Ontario Hydro's and the government's relationship, including the government's power to issue policy directives, will be dealt with very clearly by the House this afternoon. Then I suspect they will be referred to committee.

What we are trying to do here is ensure that Ontario Hydro deals with this government by the front door and not by the back door, as was past practice with successive Conservative and Liberal governments. That is the first thing we are going to ensure.

The second thing we are going to ensure is that Ontario Hydro carries out the wishes of this elected assembly rather than running a show based on its own particular agenda. We as a government feel it is important to provide Ontario Hydro with policy direction that is in the best interest of this government and ultimately in the best interest of the residents of Ontario.

TAXATION

Mr Mills: It is wonderful to be back here again. My question is for the Treasurer. During the summer, I spent as much time as I possibly could in my riding of Durham East talking to my constituents. Over and over again, the question that kept coming up was the issue of taxes. People were pleased to hear we have the Fair Tax Commission. Can the minister give me an update in the House as

to the work of the Fair Tax Commission so that I can keep my constituents informed?

Hon Mr Laughren: I appreciate the question because I too get the odd missile, if not question, on taxes in the province. The Fair Tax Commission got up and running in March and has been organizing itself and putting together what we call working groups on eight specific areas of taxation in the province. As a matter of fact, last week we had the kickoff of all the working groups together with the commissioners themselves. I am very impressed with the enthusiasm with which they are undertaking their work.

As members might know, the next year is going to be spent in fairly in-depth study of the various tax policies that have been referred to them. That will include research. It will include consultation with the public at large. Then the year after that, they will be required to report back to me. They will be presenting a report. All during this time they will be providing me with advice. The working groups will also be making recommendations. We are not waiting until the end of the commission's report. They will be giving me interim reports during that period of time as well.

Mr Mills: I understand that two of these groups have been fast-tracked. Can you tell me where they are and what the position is with that?

Hon Mr Laughren: I appreciate the supplementary, because there was an erroneous report, or at least headline, in one of the Toronto tabloids, the Toronto Star, last week which indicated that the corporate minimum tax had been put on hold. That is certainly not the case. What I did was ask the Fair Tax Commission to fast-track two tax areas; namely, land speculation and corporate minimum tax. They are in the process of doing that now and I am hoping they will report back to me this year on both of those areas. I know neither one of them is simple. They are both complex, so there is a lot of work to do in a very short period of time, but I am hoping they will be able to do it in that very constricted time frame in which I have asked them to do it.

RETAIL STORES LEGISLATION

Mr Sorbara: I have a question for the province's new Solicitor General. The new Solicitor General was formerly Minister of Industry, Trade and Technology, so he should know as well as anyone the extent to which the province is in the depths of a recession. No sector of the economy has been more hard hit than the province's shopkeepers. Retailers in every corner of the province, not just border communities, are really reeling from the effects of the recession.

Last Monday, the standing committee on administration of justice of this House was to begin the final, detailed consideration of the minister's Sunday shopping bill. It could be doing that this afternoon, but instead the Vice-Chair of the committee was forced, in an embarrassed way, to ask for an indefinite adjournment of clause-by-clause consideration. We were met by stark silence when we asked the reasons why the minister and the government were unwilling to proceed.

Mr Speaker, during public hearing of those bills, several hundred—and I know you are anxious to get to the question—groups opposed the government's bill. My question to the minister is really a two-part question. First of all, has he abandoned the bill indefinitely? Has he abandoned the bill permanently? Has he abandoned the bill till after Christmas? Has he abandoned the bill until next month? Second, why did he not have the courtesy to come to the committee and simply explain to the committee and to the general public why the government was unwilling or undesirous of proceeding?

1510

Hon Mr Pilkey: I can assure the member that the bill has not been put off indefinitely. As a matter of fact, as promptly as the government can, it will proceed to committee for the clause-by-clause consideration and subsequently directly back to this House. There were, as the member stated, hundreds of representations to the committee, which toured all across this province gathering views of Ontario's citizens—some for, some against. All of those considerations needed to be taken into very careful view. That in fact is being done. It is unfortunate we were not able to proceed on the 30th, but it is my expectation we will be able to proceed very shortly indeed.

In terms of the question of the courtesy, when the item does in fact come before the committee for clause-by-clause, I can assure the member of my attendance at the particular committee to introduce the item and, with his concurrence and the concurrence of members opposite, make a statement initially. I hope to be able to join members perhaps for all of the proceedings as we go through the clause-by-clause.

Mr Sorbara: I just want to tell my friend the Solicitor General that is thoroughly unacceptable. He cannot allow storekeepers in this province, all over the province, to work with such uncertainty. He had a bill on the Orders and Notices paper. It went for a month of public hearings. For every witness who supported his bill, there were 40 or 50 who opposed his approach. If he wants to abandon the legislation, that is perfectly fine. We will accept that. Or if he wants to proceed with the bill in the face of the opposition we heard in virtually every community of this province, we will accept that. But he must not allow this uncertainty to proceed.

The Speaker: Your supplementary.

Mr Sorbara: The Christmas season is the most crucial season of all for storekeepers in this province. Some municipalities want to open their doors and have the stores open their doors during the Christmas season. That is possible under the current legislation. I ask my friend the Solicitor General to simply make it clear whether he expects to have this bill passed before the Christmas season begins so that storekeepers will know whether or not they are going to actually be allowed to open their doors on Sunday if they wish.

Hon Mr Pilkey: I understand from my colleagues on the committee that the honourable member for York Centre perhaps himself totally holds the key to the answer to that particular question. As a matter of fact, when we do

proceed to the clause-by-clause I would be very anxious to have the members opposite deal with the item expeditiously, so we can proceed through the clause-by-clause, get it into this House and get the matter decided with.

It does deserve care and consideration. We intend to give it that and proceed back to this House almost as promptly as we can. I elicit his support to allow that to happen.

SKILLS TRAINING

Mrs Cunningham: My question is to the Minister of Skills Development. He is very much aware of the Competing in the New Global Economy report. I am sure he almost has it memorized after a year in his portfolio. It states, "Ontario's apprenticeship system is antiquated and ineffective. Because of outmoded legislation, outdated curricula, poor pay, archaic entry and completion requirements and ineffective modes of delivery, the system actively"—key word—"discourages young people from pursuing careers in the industrial trades." The minister has had the report for a long period of time. There are specific recommendations for reform. Where does he stand on the reforms?

Hon Mr Allen: I am very happy to receive the member's question because, as she will know, we have spent the better part of the past year in very active consultations with business, labour and community groups around the very agenda of people and skills in the global economy report that came from the Premier's Council. In that context, we have made great progress towards an Ontario training and adjustment board, which will be the subject of very substantial consultations this fall.

We have also in the meantime, however, not ignored the apprenticeship question per se. The member may know there has been a lot of work done over the last few years in updating the information system in the ministry branch, but at the same time it is critically important for us to get on with some very substantial reforms on the apprenticeship front. The member may look forward to some important initiatives on a number of heads that I will be announcing reasonably soon on that subject.

Mrs Cunningham: I am happy to hear that in the very short future we will be hearing from the minister, because I am certain that he in his portfolio and many of us who have been involved for numbers of years in education, colleges and universities and training across this province are totally impatient when it comes to action, and I say that in a respectful way.

We are now having companies holding press conferences, and I am sure the minister knows all about Siemens which held its press conference last Thursday. I already know his people have been talking to them, but the rhetoric is just inexcusable, so I am encouraging the minister and his cabinet to do something.

Here is a company, Siemens Electric Ltd, which wants to manufacture more products in Canada—\$600 million a year in revenue, and they want to quadruple their sales over the next four years. Guess what they say? They say they have not got anybody to do the work and nobody is being trained.

What suggestions is the minister going to have for companies like Siemens in the very near future in order that they can find these apprenticeships, given the sorry state of affairs? Another commission will not do. We have to get on with it right away. What is the minister going to tell them about the availability of apprenticeships this year and tomorrow?

Hon Mr Allen: Like the member, I share a great deal of impatience over this particular agenda which has marched so slowly in recent years. As she will know, it takes anywhere from three to four or five years to put apprenticeships through trades, and therefore the numbers that are coming through, which the Siemens business is looking for, are simply not there because of past performance.

The critical question for us is to get on with the task of reforming the curriculum contents of apprenticeships, the ratio issues, the numbers of trades that one can designate as apprenticeable trades, and so on. I assure the member we have been working on that. We will be bringing forward initiatives on many of those points in a package very shortly in order to address those needs.

But the member must realize, as must companies which come here and instantly request those people to be in place, that we are in a recession. The member must know that to have an apprenticeship in place, you have to have an employer that will employ that person. If you have a company that is going down, you cannot have an increase in apprenticeships automatically.

The Speaker: Would the minister conclude his remarks, please.

Hon Mr Allen: So we are in a major problem. We are turning that around and we have been addressing that over the course of the last year as well.

ALGONQUIN PROVINCIAL PARK

Mr Waters: My question is to the Minister of Natural Resources with responsibility for native affairs. What I would ask is if he could possibly give us an update on the situation in Algonquin Park, as it is of grave concern to the members and the people of my riding in this ongoing debate.

Mr Bradley: Is that the logging road that you guys—

Hon Mr Wildman: I thank the member for his question. I suspect the member is referring to the negotiations with the Algonquins of Golden Lake and not, as the member for St Catharines is suggesting, something to do with the logging industry in Alonquin Park.

The member, I know, is very interested in this issue, as he attended a meeting with me last Sunday, a week ago, in Huntsville with a large number of interested sportsmen who were very concerned about the negotiations.

I am happy to report that both sides in the negotiations, the Algonquins and the Ministry of Natural Resources officials and our negotiator, have been working very hard to come up with rules that are acceptable to both sides which will take into account conservation of the resources and public safety, to ensure that an interim agreement can be signed for the period in which we are carrying out the land claims negotiations.

These negotiations have been long and complex and difficult. They have been carried out in a spirit of goodwill and sincere effort on both sides. We are currently reviewing the latest draft. We hope to have another meeting on Wednesday, and as we make further progress I will be happy to report to the House.

I am also happy to say that to our knowledge there is no hunting now taking place in the park and the chief has advised the members of the first nation that they should not proceed to hunt within the park boundaries until we have reached an agreement.

1520

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Mr Cooke moved that, notwithstanding any standing order or previous order of the House, the following changes be made to the order of precedence for private members' public business: Mr Turnbull and Mr Arnott and Mr Murdoch, Grey, and Mr Wilson, Simcoe West, to exchange places respectively in the order of precedence for private members' public business; and Mr Ferguson, Ms Haslam, Mr Silipo and Mr Wilson, Frontenac-Ad-dington, to be deleted from the order of precedence for private members' public business and all members of the New Democratic Party caucus listed thereafter to be advanced one place in their turn.

Motion agreed to.

FIRST DEPUTY CHAIR

Mr Cooke moved that Mr Farnan, member for the electoral district of Cambridge, be appointed First Deputy Chair of the committee of the whole House.

Motion agreed to.

PETITIONS

VIOLENCE AGAINST WOMEN

Mr Carr: I am pleased to table a petition signed by about 150 residents in my riding, which reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to fulfil the promise outlined in the throne speech which promised that the government would deal resolutely with violence against women and children in our communities."

I will be affixing my signature to that as well.

OATH OF ALLEGIANCE

Mr J. Wilson: I am pleased to rise today on behalf of a number of concerned citizens in the village of Creemore to present a petition to the Legislature of Ontario. The petition reads as follows:

"Whereas the Queen of Canada has long been a symbol of national unity for Canadians from all walks of life and from all ethnic backgrounds,

"Whereas the people of Canada are currently facing a constitutional crisis which could potentially result in the breakup of the federation and are in need of unifying symbols,

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to restore the oath to the Queen for Ontario police officers."

RESIDENTS' ALLOWANCE

Mr Cooper: I have a petition signed by 114 residents and friends of Nithview Home and Seniors' Village and it states:

"Residents of homes for the aged and nursing homes who rely only on pension income receive a rebate of \$112 per month for personal expenses. This is referred to as comfort allowance. The allowance has not been raised since 1985. It must be used to cover a broad range of expenses such as personal toiletries, cable, telephone, hair care, hearing aids, batteries and repairs, recreational outings and activities, clothing, vitamins, eye glasses and dental work.

"We, the residents and friends of Nithview Home and Seniors' Village, along with the Ontario Association of Residents Councils, strongly urge you to raise the comfort allowance to \$150 a month. As well, we hope that regular increases can be made that are indexed to the cost of living. We trust that you will give this your serious consideration."

HEALTH PROFESSIONS

Mr J. Wilson: I am pleased to rise to present a petition to the House on behalf of the Association of Hearing Instrument Practitioners of Ontario. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the health professions legislation, Bill 179, is an omnibus piece of legislation that is insensitive to the realities of the hearing aid services delivery system in this province;

"Whereas over 30% of hearing aid clinics in Ontario have closed in the past two years in anticipation of the severe restrictions this bill places on the care delivery system;

"Whereas there are insufficient numbers of audiologists to provide services in the rural communities and Bill 179 will remove this local service to the elderly and handicapped, forcing them to travel to larger centres;

"Whereas the bill will result in significantly diminished accessibility of hearing aid services as they have existed for the hearing-disabled in this province for 40 years,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to review the appropriateness of the omnibus bill as it pertains to the delivery of hearing aid services in this province and to ensure rural Ontarians continue to receive fair and equitable access to hearing-aid-related health care."

This petition is presented by me on behalf of some 1,500 signatories.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Callahan from the standing committee on public accounts presented the committee's Report No 1, 1991, and moved the adoption of its recommendations.

Mr Callahan: First of all, I want to thank everybody involved, the members of the committee most specifically. This is, as you know, Mr Speaker, as best we can, a

non-partisan committee. We reviewed the auditor's comments about two school boards and also three universities. Basically the report which has been tabled is self-explanatory. It revolves around the question of accountability on a whole host of avenues.

We found the accountability to be relatively good, but we also re-endorsed a position that has been taken by public accounts in the past, that the provisions of the auditor's act be amended to allow the auditor a far larger scope in terms of doing accounting on the basis of value for money. We once again subscribe to that in our report.

Our second report, to follow shortly, I think is one that will be well received as well. I certainly hope to speak to that, perhaps a little more than briefly, with the unanimous consent of the House.

On motion by Mr Callahan, the debate was adjourned.

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

COMITÉ PERMANENT DU DÉVELOPPEMENT DES RESSOURCES

Mr Kormos from the standing committee on resources development presented the following report and moved its adoption:

M. Kormos du comité permanent du développement des ressources présente le rapport suivant et propose son adoption :

Your committee begs to report the following bill with certain amendments:

Bill 70, An Act to amend the Employment Standards Act to provide for an Employee Wage Protection Program and to make certain other amendments.

Projet de loi 70, Loi portant modification de la Loi sur les normes d'emploi par création d'un Programme de protection des salaires des employés et par adoption de certaines autres modifications.

Motion agreed to.

La motion est adoptée.

Bill ordered for third reading.

Le projet de loi devra passer à l'étape de troisième lecture.

1530

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr White from the standing committee on administration of justice presented the committee's Report on Conflict of Interest Guidelines and moved the adoption of its recommendations.

Mr White: I simply wish to comment that we had a number of very learned witnesses coming before us. It was a very interesting debate. There were some divergent opinions, which are included in the report.

On motion by Mr White, the debate was adjourned.

Mr Eves: On a point of order, Mr Speaker: On the adoption of the report of the previous committee—I believe it was resources development talking about Bill 70—it is my understanding that the House leaders have agreed that this is going to committee of the whole. I am sorry

that I, and obviously some other people, were not paying attention either, but I would like to ask for unanimous consent of the House to revert to that order so we might send it to committee of the whole.

The Speaker: Agreed? All those in favour please say "aye." Those opposed will please say "nay." In my opinion the ayes have it.

Mr Sterling: On a point of order, Mr Speaker: I think it has to be unanimous, Mr Speaker, because when—

Hon Mr Cooke: It was.

The Speaker: To the member for Carleton, he is right. I do not know if again or first, but none the less right. How about we try that one again. Is there unanimous consent?

Agreed to.

INTRODUCTION OF BILL

TORONTO TRANSIT COMMISSION LABOUR DISPUTES ARBITRATION ACT, 1991

LOI DE 1991 SUR L'ARBITRAGE DES CONFLITS DE TRAVAIL À LA TORONTO TRANSIT COMMISSION

Mr Harris moved first reading of Bill 137, the Toronto Transit Commission Labour Disputes Arbitration Act.

M. Harris propose la première lecture du projet de loi 137, Loi sur l'arbitrage des conflits de travail à la Toronto Transit Commission.

Motion agreed to.

La motion est adoptée.

Mr Harris: Very briefly, this bill has the effect to require transit labour difficulties with the Toronto Transit Commission and its unions to settle their disputes by mediation and ultimately by arbitration.

I think it is a reflection of what all three political parties now recognize: that transit in Toronto is an essential service; second, that a reflection of what I heard from the actual men and women as well who work for the TTC is that indeed the majority of them really did not want to be on strike and that if there was an option available to their union leadership and to these working men and women in this service other than striking it would be preferable to them.

The bill is quite detailed. To be very honest with the members—my non-legal background—some of it gets into definitions and it is fairly technical, but the gist of it is that it would recognize the TTC as an essential service and would settle disputes and be a mechanism for dispute resolution by ultimately arbitration as opposed to striking.

Mr Wiseman: Sieg heil.

Mr Jackson: On a point of order, Mr Speaker: I would ask the member to withdraw his offensive reference and comment and I invite you to invite him to withdraw the comment.

He said, "Sieg heil," and I would ask that he remove that. That is an offence to every member of this House, perhaps except the member who uttered it.

The Speaker: To the member for Burlington South, I did not hear any untoward remark.

Mr Jackson: It was the member for Durham West, Mr Speaker.

The Speaker: If a member in the House did utter something which is offensive to another member, I would ask that the member withdraw the remark.

Mr Wiseman: I withdraw it, Mr Speaker.

ORDERS OF THE DAY

POWER CORPORATION AMENDMENT ACT, 1991 LOI DE 1991 MODIFIANT LA LOI SUR LA SOCIÉTÉ DE L'ÉLECTRICITÉ

Mr Ferguson moved second reading of Bill 118, An Act to amend the Power Corporation Act.

M. Ferguson propose la deuxième lecture du projet de loi 118, Loi modifiant la Loi sur la Société de l'électricité.

Hon Mr Ferguson: In June 1991 the government introduced a set of amendments to the Power Corporation Act. Today I am pleased to take this opportunity to very briefly remind the members of the intent and the importance of the legislation.

The amendments now before the members will establish an improved legislative framework which will enable Ontario Hydro and this government and future governments to work together more effectively for the continued economic, environmental and social wellbeing of the province of Ontario.

Under the amended Power Corporation Act, Ontario Hydro will remain a public utility controlling its day-to-day activities. The legislative changes will help to ensure that the provincial utility's operations are in the best interests of the people of Ontario by making the policy direction process more open and by making it easier for Hydro to work more effectively in conservation and efficiency. The amendments to the act are essential to the full implementation of the government's new energy directions outlined in the November 1990 throne speech.

The primary goal of our new energy policy is to protect the environment while ensuring that the province continues to have a reliable supply of energy at reasonable prices. In our new energy directions we have made a commitment to concentrate more of our resources and efforts on controlling the growth in our demand and ensuring that we use energy efficiently. We have put a moratorium on the development of new nuclear generating stations and we have told Ontario Hydro to redirect this spending to conservation activities.

When we introduced these amendments we recognized that equipping Ontario Hydro to be more responsive to public priorities and government policy would be a necessary condition for effectively carrying out this new energy policy.

We are now taking a number of initiatives designed to produce significant reductions in energy demand across the board: in transportation, in industry, in commercial and institutional buildings, and finally in housing.

The provincial utility is also taking initiatives to reduce the demand for electricity. You might recall that on August 20 Ontario Hydro announced ambitious new energy efficiency targets, an increase of 1,700 megawatts to a total of

5,100 megawatts by the year 2000. Hydro has made it clear that the new targets will be made possible by the amendments now before this House. These targets can be achieved in a manner which is more cost-effective and environmentally acceptable than meeting our needs by the development of new, expensive, inefficient, large generating stations.

As a society we need to meet our new energy efficiency targets and do more if possible. We recognize both the economic and environmental importance of controlling our ever-growing appetite for energy.

Previous governments, you may know, have amended the act to expand Hydro's business and purpose to include the production and sale of heat energy, the provision of energy conservation programs and the encouragement of parallel generation of electricity.

The amendments we are introducing today will enhance the utility's ability to meet the needs of the 1990s. They will enable Ontario Hydro to play an increased role in promoting conservation programs dealing with all forms of energy. Hydro will be able to provide incentives to promote the substitution of other forms of energy for electrical energy where it benefits both the corporation and the customer.

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This will lead to fuel-switching away from electricity in cases where the market would not make the switch occur but where it is cost-effective in the long run to do so. It is far more cost-effective to encourage fuel switching than to sink billions of dollars into a new nuclear plant which operates less than two thirds of the time; after spending \$13.5 billion, it operates less than two thirds of the time. The amendments remove barriers to the corporation's ability to comply with the government's policy agenda and public priorities and help to ensure that Hydro's activities are always in the best interests of its customers and of all residents of Ontario. We will provide direction to Hydro in an open, public way, rather than on the quiet as previous governments have done.

The amendments facilitate greater participation by municipal corporations in conservation programs, making those programs available to a greater number of Ontario residents. They do this by allowing the utilities the option of either financing the costs of energy conservation by capitalizing them or continuing to treat them as current operating expenses. The amendments also make Ontario Hydro's board of directors more responsive to the attitudes and concerns of the people of Ontario. Increasing the size of the board by four members will ensure a wider representation of public interests. The appointment of the Deputy Minister of Energy as a non-voting member will facilitate liaison and provide for advice on government policy and public priorities.

In addition, I believe the time has come to also appoint some of the employees of Ontario Hydro to the very board in which they are employed. Making the board's chairperson the chief executive officer of the corporation is a much more efficient structure for Hydro. This increases Hydro's accountability, as the government appoints the chair while Hydro's board of directors appoints the president. We have

discussed the proposed amendments with various stakeholders, including environmental groups, labour, industry and the Municipal Electric Association. This public consultation, this public discussion will continue as the legislative process proceeds.

The government will be listening closely to what is said during the legislative process and is prepared to be responsive where appropriate. Mr Speaker, I want to tell you that the letters continue to arrive daily in support of amendments to the Power Corporation Act. In fact, just this morning the Ontario Natural Gas Association joined a long list of supporters for this amendment by sending a letter to the Ministry of Energy. They, of course, are joined by a number of environmental groups that see this as a positive step in Ontario's future.

Finally the amendments that are before the House are a necessary response to the public's overwhelming desire to meet our energy needs and at the same time to protect the environment. They will enable Ontario Hydro to promote efficiency and conservation and allow the corporation to implement government policy designed to provide a cost-effective means of controlling our ever-growing demand for energy. Under the amended legislation Ontario Hydro can become a more dynamic, a more cost-effective and certainly a more efficient organization.

The amendments provide Hydro with a broader range of tools at its disposal and prepare it to be a utility for the 21st century, an organization capable of implementing the most comprehensive energy conservation and efficiency program ever undertaken by a utility in North America.

I am looking forward to the comments of the members of this House. I understand there is a feeling this bill should be referred to committee hearings, and I would be happy to see that done. I think we need as much input from as many stakeholders on this piece of legislation as possible.

The Acting Speaker (Mr Villeneuve): I thank the minister for his opening comments on second reading of Bill 118. Do we have questions and/or comments on the minister's opening remarks? Seeing none, the honourable member for Lanark-Renfrew.

Mr Jordan: On the day Bill 118 was introduced, I believe I referred to it being a very dark day for Ontario Hydro. At that time the amendment to the Power Corporation Act was only—

Mr McGuinty: On a point of clarification, Mr Speaker: I am just wondering whether I should not be beginning the rotation.

The Acting Speaker: Yes, I am sorry. I was under the impression the honourable member for Lanark-Renfrew was participating in the two-minute questions and/or comments. The honourable member was up as I was coming to a conclusion that there were none. Do we have unanimous consent that the critic for the official opposition should actually be taking the floor immediately following the minister's opening remarks?

Mr Jordan: Mine is in the form of a short question.

The Acting Speaker: I want the honourable member for Lanark-Renfrew to know we are not in the two-minute

questions and answers, so therefore whatever you say now would disallow you to participate in any further debate.

Mr Jordan: Thank you, Mr Speaker.

Mr McGuinty: I have been looking forward to participating in this debate for some time and cannot overestimate the importance or significance of this legislation and the impact it would have on the province if it were passed as is. To my understanding, the general theory of the legislation is that it is to constitute a solution to a problem. If passed, rather than being any kind of solution, this proposed legislation would, in and of itself, constitute a very real problem for the people of Ontario.

Before I get into the specifics of the legislation, I think it is important that we look to the circumstances which obtain today, the factors that are at play in the energy field. No legislation is ever introduced into any kind of abstract vacuum and that is why I think it is important we do that. Let's look at some of the relevant history.

In 1989 the previous Liberal government introduced amendments to the Power Corporation Act. Those amendments were designed to make Hydro more accountable while at the same time maintaining a partnership spirit between government and Hydro. The matters of the memorandum of understanding and policy statements were introduced into legislation at that time. Those amendments also provided for a broadening of Hydro's mandate to allow it to pursue energy conservation more effectively, but most important, Hydro's mandate to provide power at cost was not interfered with.

The second item we should remember is that there is at present an atmosphere of tense relations between Hydro's board and the government. There was that skirmish when Hydro appointed Alan Holt to the position of chief executive officer, which was subsequently followed by the Premier appointing Marc Eliesen to the chair. Subsequently the minister introduced Bill 118, which effectively publicly emasculated Mr Alan Holt, a man who had been working for Hydro for some 35 years, possessing tremendous expertise in the matter of Hydro.

With respect to the board itself, there is now lacking a spirit of co-operation between the previous appointees and this government's appointees, and I place the responsibility for the souring of relations clearly on the shoulders of this government. This government has given every impression that it does not just want to control Hydro, but rather that it wants to dominate it totally.

1550

It is important to keep in mind what we are dealing with here. We are dealing with a huge corporation that has over 36,000 employees. From my understanding, there are more people working for Hydro than there are residents of the Yukon. It has \$39 billion in assets. Its ability to supply reliable power at cost, notwithstanding its occasional stumblings along the way, has enabled this province to develop so successfully.

I do not think it is overstating the matter to say that this development of Ontario has gone hand in hand with our access to a reliable supply of power at cost, and in that very light it is important to recognize that the rivalries on

the board, the tensions between the board and the government, are not only unseemly; they are completely unacceptable and dangerous to the economic health of this province. Anything at all that interferes with Hydro's ability to fulfil its mandate is unacceptable, and it is up to this government to improve relations and bring a co-operative approach to the problems both the government and Hydro must face.

Leadership does not mean saying, "It's my way or the highway"; it means sitting down and making a genuine effort to work the problems out. It means harnessing the energy and the expertise of the existing board members. Unfortunately, in my estimation, this legislation will not foster a spirit of co-operation or partnership. It will do the exact opposite unless, that is, the government appoints only lackeys to the board who have no genuine concern for ratepayers, and I am not prepared to make that indictment of members who are yet to be appointed to the board.

I am not saying the government does not have a role and indeed a responsibility to keep Hydro in check and ensure it does not act against government policy, but there is a clear line beyond which the government should not cross. The government should not in any way impair Hydro's ability to look out for the interests of its ratepayers. Unfortunately Bill 118 will constitute such an impairment.

The third factor we have to keep in mind, before we address the substantive aspects of Bill 118, is that Hydro rates are skyrocketing. In 1991 we witnessed an average increase of 8.6% in the rates. In combination with the GST, on average that was an effective increase of 15.6% for that year. The rate for 1992 has just been announced by Hydro at 11.8% on average, notwithstanding the Ontario Energy Board's recommendation that it be held at 10.5%. The increase for 1992 was the highest annual increase in over 10 years, and that is at a time when our province has been battered by a recession.

Furthermore, as was indicated in question period today, the chairman has indicated that he expects Hydro rates will increase 44% over the next three years. It is interesting to note the Premier's comments I heard on the radio this morning, that he intends to place an additional emphasis on jobs, jobs, jobs. I submit I am not going out on much of a limb when I say there is a direct correlation between Hydro's rates and our rate of unemployment in Ontario. As the rates go up, so will the rate of unemployment.

Another point to keep in mind is that the demand for Hydro is increasing. Although it has slowed somewhat during recession, the demand is expected to double by the year 2016 and one quarter of the existing supply stations are to be retired by that date. We have yet to hear of any plans of substance this government has to meet that increasing demand.

The fifth factor at play now is that Hydro's energy conservation programs are not working, and that is disturbing news indeed. The Ontario Energy Board, an impartial regulatory body which possesses special expertise in the matter of energy and Ontario Hydro, made the following comments in its reference of August 26, 1991, HR 20, in the Report of the Board, in the matter of a reference for the Minister of Energy respecting Ontario Hydro's proposed

electricity rates for 1992. I think it would be worth our while to refer to some of the comments made. I am referring specifically to page 29:

"The board is very concerned with the cost-effectiveness of Hydro's energy management expenditures. Since HR 19, Hydro has increased substantially its energy management expenditures, partly in response to the government directive to redirect nuclear pre-engineering expenditures." That is a reference, of course, to \$240 million referred to in the throne speech which was redirected by the government.

"The board notes Hydro's testimony that the additional expenditures are not planned to result in additional long-term savings. Hydro has expressed some hope that they may do so, but the board questions the usefulness of spending the money based on hopes of future savings.

"The board has other concerns with the process by which the additional expenditures were allocated. The amount chosen was arbitrary, since it was equal to the amount previously budgeted for nuclear pre-engineering expenditures. Hydro testified that the result of the additional expenditures has been to bring forward programs from 1993 and 1994. This is of concern to the board in that programs may have been rushed into place."

Now I am getting to the point where I think this is very important. It says: "In short, the board finds that the additional expenditures will not likely result in cost-effective energy management savings, but only in additional costs and lost revenue in the short term. In the board's view, this is not short-term pain for long-term gain; rather, this is short-term pain for little or no gain."

It is quite an indictment. We have all this talk of conservation. The minister just referred to it when he introduced this bill for second reading and we now learn it is not working. This \$240-million injection, about which this government made so much hay, which was referred to in the speech from the throne, is being wasted. Not only do we have a case of increasing demand, but we have an energy conservation program which is not working.

The sixth factor at play here is something which constitutes the beginning of the track record for this government in a matter of directing Ontario Hydro in terms of the kind of expenditures it wants it to make. I call it the Elliot Lake and Spruce Falls syndrome. These are examples where this government has set a dangerous precedent and gives us a good idea of the intentions for the future.

Elliot Lake and Kapuskasing were difficult cases of one-industry towns; there is no doubt about that. They were hurting terribly in the recession. It was quite clear their industries would fail if the usual market forces were allowed to play themselves out and there would be tremendous resulting job loss.

What was this government's response? It used Hydro as a tool to carry out the social policy initiatives. It forced Hydro to do what it itself should have done. It forced the ratepayers instead of the taxpayers to foot the bill for what properly should have been a government initiative.

Let's look at Elliot Lake. There, the government compelled Ontario Hydro to spend \$160 million to extend the uranium purchase contracts to 1996. As a result of that,

Hydro is now paying much, much more for uranium than it would have done on the open market. The government also directed Hydro to spend \$25 million to promote local electrical generation.

Finally, and this is the unkindest cut of all for the ratepayers, the government ordered Hydro to spend \$65 million of the northern Ontario heritage fund. We have to ask ourselves, what does money being paid into the northern Ontario heritage fund have to do with the supply of electricity? The answer, of course, is that it has nothing at all to do with that.

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Then there is the case of Kapuskasing. The government, again in response to a difficult situation, implicated Hydro. It committed Hydro to supplying \$247 million worth of power over the next 10 years free to the Spruce Falls mill. It compelled Hydro to purchasing a dam for \$140 million. That dam has been purchased notwithstanding that Hydro's plans for it are still subject to approval under the environmental assessment. And finally, it compelled Hydro to spend \$34 million up front for power credits.

The question to be asked in both cases, Elliot Lake and Kapuskasing, is, were these actions in the interest of ratepayers? The answer has to be absolutely not. Clearly the government has a responsibility to assist these towns and we all as taxpayers have a responsibility to assist these people, but not as Hydro ratepayers. Ratepayers are owed power at the lowest possible cost. These initiatives effectively constitute a tax grab. They are hidden from view, and that is the most insidious aspect of this legislation.

Taxpayers, on the other hand, deserve to see what are properly government expenditures, and they deserve to see them written down on the government books, not hidden away on Hydro's books.

Finally, in terms of the context within which this bill was introduced, we should note that it was done without consultation. To my understanding, there was no consultation with the public, no consultation with the ratepayers, no consultation with the Association of Major Power Consumers in Ontario or with the Municipal Electric Association, which combined represent over 90% of the ratepayers in Ontario. No consultation with business, no consultation with labour, no consultation with the elected public utility commissioners.

I do not believe anyone outside of government was consulted, in fact, and this from a party which promised an open and accessible government and which promised to consult on all government initiatives before the fact and not afterwards.

To summarize the important features of the context within which this bill is being introduced, we have an atmosphere of tense relations between Hydro and the government, and there is absent from these a spirit of co-operation and partnership. We have hydro rates which are skyrocketing, and this in a time of economic recession. The demand for hydro is increasing and we have still to hear from this government as to how it intends to meet the demand. Hydro's energy conservation program, as we have learned from the impartial body, the Ontario Energy Board, is not working. And finally, through Elliot Lake

and Spruce Falls, this government has established a track record which is frightening to ratepayers, employers, investors—to everyone in the province—because we are all paying, either directly or indirectly, for Hydro.

Let's look at some of the specifics of Bill 118 to see how it not only does not address those pressing problems I have just listed, but in fact generally exacerbates them.

In order to properly review Bill 118, we should compare it to the amendments made to the Power Corporation Act in 1989 by the previous government. Section 2 of Bill 118 repeals section 9a and replaces it with a new section 9a, and I think we should begin by comparing the language used. In legislative drafting, no words are chosen at random or without great care. They are all chosen for a particular purpose. Let's look at the existing wording.

It says—these are pursuant to the Liberal amendments of 1989. It says the minister may issue policy statements. Under Bill 118, we are saying the minister “may issue policy directives.” Under the existing legislation, it says Hydro shall respect policy statements. Under Bill 118, it says the directors “shall ensure that policy directives are implemented promptly and efficiently.”

It should be clear that the Liberal amendments were based on the assumption that the government could and would maintain a good working relationship with Hydro. Bill 118 shows language that is much tougher. Clearly it is a case of command and control, of the government saying, “You will do as you are told.” It is as simple as that. It is very confrontational.

Let's compare another aspect. Under the Liberal amendments, it indicated that the minister's policy statements must relate to Hydro's exercise of its powers and duties under the Power Corporation Act. Under Bill 118 this restriction is lifted. It is extremely important to understand the consequences of this. Without any restriction whatsoever on the kinds of policy directives it can make, the government can order Hydro to do virtually anything. Given this government's track record, specifically Elliot Lake and Kapuskasing and Spruce Falls—and that track record was developed without the benefit of this legislation—it is frightening to think of what this government might do with the benefit of Bill 118 if it becomes law.

Without any kind of restriction, this government could order Hydro to build an amusement park, fund cancer research, make a contribution to a government pension fund, give money to any body or group of people, all of which have nothing to do with supplying electrical power to ratepayers. In short, without restriction government can effectively change Hydro's mandate in a blink of an eye, and without the change being subject to debate in this House. What it really means is that Hydro's traditional and cherished mandate, that of providing power at cost, is being threatened. Through Bill 118 the government is saying to ratepayers, including employers and investors, “Your hydro rates are going up, folks, and for reasons that have nothing to do with the cost of providing power.”

Just in case I am accused of being overly partisan, let's refer to that august body, the Ontario Energy Board, once more. At page 188 of the same reference, HR 20, the board makes some findings. It says: “There is a general principle

for public utilities that social policy initiatives should be left in the domain of government rather than reflected in rates charged by such public utilities. Behind that principle is the generally accepted ratemaking principle that customers of a utility should be charged only for the public utility services rendered and that government ought to be responsible for alleviating societal problems.”

It goes on to say, “Hydro is faced with the prospect of an increasing role in the implementation of government policy initiatives, with a potentially substantial effect on Hydro's operations in the 1990s.”

Then it adds something which I find very interesting. It says: “The board concurs with board staff that it is essential that Hydro be vigilant in advising the government of the financial and rate impacts of provincial policy initiatives. Further, the board finds that Hydro should fully document any advice or financial and rate impact submissions it makes to government in this regard.”

I find that interesting because it reminds me of what a lawyer is supposed to do when he is faced with instructions from a client which are contrary to the lawyer's better judgement. In those cases a lawyer is required to carefully document his advice to his client in order to ensure that there is an established record as to what the consequences may be and that the client is acting against the lawyer's better judgement. I note that the Ontario Energy Board is warning the directors that they ought to be careful in terms of the kinds of steps they are about to take in dealing with a government that is bent on putting through or carrying out social policy initiatives through Hydro.

Another aspect of Bill 118 is section 7, which, just to make it perfectly clear, says that the costs of carrying out policy directives are to be factored into the cost that we are going to pay for power. We have got to question the wisdom of the minister in introducing a bill in a recession which is saying to employers and investors, “Here comes an additional tax which we're going to tack on to your hydro bill, a tax which has nothing to do with hydro, a tax which you won't find in any other jurisdiction in North America.”

This provision will enable this government, a government desperately trying to recover from the negative reception of its first budget, a government desperately trying to prevent a \$9.7-billion deficit from mushrooming into something several billion dollars greater, to hide government expenditures on Hydro books and off the province's balance sheet. Surely the members can see that the temptation to do so will be great.

1610

Something else this legislation does which is very, very unnerving for ratepayers is found in the new subsections 9a(4) and 56ba(2), and I will read those.

With respect to the first one, the new 9a(4) reads as follows: “A director is not accountable for any consequences arising from the implementation of a policy directive under subsection (3) if he or she acted honestly and in good faith in relation to its implementation.”

Subsection 56ba(2) reads: “Compliance with a policy directive shall be considered to be in the best interests of the corporation.”

The effect of these two provisions is to say to the directors: "Look, as long as you do as the government tells you, even if it causes harm to Hydro and to Hydro's ratepayers, don't worry about it. You can't be sued for it, because we're relieving you of that obligation you had in the past."

I will tell members why these provisions were necessary. It is because there is an old principle of corporate law—it is over 100 years old—that says the directors owe a fiduciary duty to the shareholders. The fiduciary duty is very simple. It just says the directors must always act in the best interests of the shareholders.

In Hydro's case, the shareholders are the ratepayers, but through Bill 118, in one fell swoop, this government is proposing to override that century-old principle. The question remains, who will look out for the interest of the ratepayers?

The role of Hydro's board of directors has traditionally been to provide that sober second thought in the face of a government directive and to always consider its special duty to look out for the interest of its shareholders, the ratepayers. Now there will be no need to look out for the ratepayers' interest, because Bill 118 relieves the directors of this obligation. And it is logical to assume that if you are not prepared to follow government directives, you are not going to get appointed to the board of directors.

There is a provision in the bill which has some attraction for me. That is the provision which permits Hydro to promote switching to alternate fuels. But I can only support that if the costs of such promotion are offset by the costs saved by not having to construct new generation facilities. As a ratepayer, and especially as a ratepayer without access to cheaper forms of energy, ie, natural gas, I do not want to pay to help someone switch to gas unless in the long run that is going to save me money. The minister will have to consider and provide me with reassurance regarding all the long-term implications of moving people off electricity on to natural gas before I can without reservation support this particular provision.

For instance, we have to consider whether the natural gas pipeline is sufficient to accommodate the increased demand which would be brought about by this fuel-switching program. The increased costs for a pipeline may be incorporated in the costs of gas, and it may be that at some point in time costs of electricity become cheaper than natural gas. Where does that leave us at the end of the day?

All those ramifications and repercussions are going to have to be explored and dealt with and brought to bear in this House before I can lend my unreserved support to that particular provision.

Now let's review the problems I discussed earlier to see what effect Bill 118 will have on them if it becomes law.

Problem 1 is the tense relations between Hydro's board and this government. Will this bill foster a spirit of co-operation and working partnership? My answer is no, it would only make it worse. The legislation is of the command and control variety, simply saying to directors: "Do as you're told. Forget the shareholders. We're relieving you of that obligation to look to them."

Problem 2: Hydro's rates are skyrocketing. Will Bill 118 ensure that those rates will not continue to skyrocket? Will it dampen that inflation? No. In fact, as I think I have shown quite clearly, it is only going to exacerbate that problem.

Problem 3: The demand for hydro is increasing. Bill 118 does nothing to address this.

Problem 4: Hydro's energy conservation programs, according to the Ontario Energy Board, are not working. The impact of the fuel switching provision remains to be seen, so I cannot pronounce judgement on that one yet.

Problem 5 is the business of the Elliot Lake and the Spruce Falls syndrome. Will Bill 118 permit this government to continue to force Hydro to carry out social policy initiatives? The answer? You bet, and we should keep in mind that includes employers, workers, investors, landlords, tenants, consumers, that is, all of us, because we all pay for electricity one way or the other, directly or indirectly. Can Hydro's ratepayers take comfort in Bill 118? Absolutely not.

There have been complaints levelled against Ontario Hydro for a long, long time. Anybody who peruses the Hansard will see that those complaints have been made by all sides of the House, members from all parties. Historically, those complaints have centred on Hydro not looking out for the interests of the ratepayers, and now, through Bill 118, this government is proposing to tame this Hydro tiger. But as a ratepayer, whether I am mauled by the Hydro tiger when it is wild or when it is tame and it attacks me in response to its master's command, it makes no difference to me, because a mauling is a mauling is a mauling.

There is another aspect of Bill 118 that ought to be explored, and that is the aspect of the salaries for the chairman and chief executive officer and the president. At the present time, Mr Franklin's salary is \$440,000 plus bonus, a considerable salary. He receives that salary in his capacity as chairman—when he was there, I should say, previously—chief executive officer and president. Mr Eliesen, under the proposed legislation, will receive \$400,000 for acting as chairman and chief executive officer. In addition, Mr Holt, in his capacity as president, will receive \$325,000.

The long and the short of it is this. Under the current legislation, three jobs are costing the ratepayers \$440,000. Under the proposed legislation, three jobs will cost us \$725,000. That is a \$285,000 difference, and \$285,000 is a lot of money at the best of times, but in the context of a recession, it is obscene.

It is also interesting to note that Bill 118 shifts the responsibility to set the chief executive officer's salary from cabinet to the board. But lo and behold, those appointments to the board are made by the Premier, and Bill 118, as I have tried to outline, clearly tells the board in other areas it must do as it is told. So it must logically be assumed that the board will do as the Premier wishes, and in this way, in the matter of the salary, the Premier will both have his cake and eat it, because if someone complains about the chief executive officer's salary, the Premier will say, "Don't talk to me, talk to the board," but in

reality the Premier controls the board and hence the CEO's salary. It is a nifty piece of footwork, but it will not fool all the people all the time.

1620

I have received, as I am sure many other members have, numerous pieces of correspondence in connection with this Bill 118, all of which of course express considerable concern about the effect it would have on the province, particularly on the ratepayers, if it is made law. I want to refer only to a few of those.

First of all, I received a letter from Woodstock. Actually, I have a copy of a letter from the Woodstock Public Utility Commission, which was addressed to the minister. It is dated September 18, 1991, and was signed by the chairperson, Alex Sutherland. That letter reads as follows, and these are only parts of it:

"Dear Minister:

"I am writing to you to express my very serious concerns about the possible direction Bill 118 amendments to the Power Corporation Act may take.

"As chairperson of the Woodstock Public Utility Commission, where this commission is dedicated to power at cost and providing the Woodstock community with safe, reliable energy, I have a deep concern for any changes in the Power Corporation Act."

It goes on to say: "Permitting the cost of government policy directives to be included in the cost of power to municipal electrical utilities troubles the Woodstock commission greatly. This means electricity bills would become a new, albeit hidden, source of tax revenue for the government."

I have a letter from the Markham Hydro Electric Commission to me, dated September 20, 1991. It is signed by the chairman, F. Maguire. It says in part:

"Markham Hydro Electric Commission requests that the sections of Bill 118 that would force electricity customers to bear the cost of policy directives be withdrawn and further requests that the government not finance social assistance programs and other government initiatives through the cost of power."

Appended to this letter is a resolution which is to the same effect as the letter itself. That resolution passed September 9, 1991.

I have as well a letter dated September 19, 1991, to myself from Hydro Mississauga. It is signed by Karl Wahl, the general manager. It reads in part as follows:

"Bill 118 threatens to destroy Ontario's long-cherished principle of power at cost by making electricity rates a new source of tax revenue for the provincial government.

"Under Bill 118, the provincial government will be able to issue policy directives that bypass the democratic legislative process, are binding on Ontario Hydro, and that could force Hydro to do things that are outside its current mandate—the provision of safe, reliable electricity. In addition, Bill 118 would force Ontario electricity consumers to pay for these policy directives through their rates. This is unacceptable....

"Bill 118 is flawed legislation that sets dangerous precedents and allows a new, hidden 'tax grab' by the provincial government."

I have a copy of a letter dated September 11, 1991, from the public utilities commission of the town of Fort Frances. The letter is signed by the chairman, Doug McCaig. It is addressed to the Honourable Howard Hampton, MPP, Attorney General. It says:

"Dear Sir:

"The above-noted legislation in its proposed form will change the fundamental relationship between the provincial government and Ontario Hydro and will, in the opinion of the Fort Frances Public Utilities Commission, be to the detriment of electricity consumers in this province.

"It is not necessary to do a total retrospective on the role of Hydro in Ontario since 1906. Suffice it to say that the fundamental tenet of this industry was the provision of reliable 'power at cost.' Over the past 85 years, many hundreds of municipal utility commissioners have come and gone in the service of their utility, each and every one seeking public office for the sole purpose of maintaining and strengthening this principle.

"Should Bill 118 be passed into law in its present form, it will do more to discredit and undermine the efforts of these dedicated men and women than anything yet proposed."

It goes on to conclude with these words, "We, as municipal and utility commissioners and members of the Municipal Electric Association, deplore this action and urge the government to reconsider these amendments to the act and to honour the principle of 'power at cost.'"

I have a letter from the Clinton Public Utilities Commission, signed by Bruce Schoenhals, manager. It is dated September 16, 1991, and addressed to myself. It provides in part as follows:

"Bill 118 threatens to destroy Ontario's long-cherished principle of power at cost by making electricity rates the new source of tax revenue for the provincial government....

"Bill 118 is flawed legislation that sets dangerous precedents and allows a new, hidden 'tax grab' by the provincial government."

It also has appended to it a resolution to this effect, which was adopted on September 16, 1991.

I have a letter from the Bancroft Public Utilities Commission, dated September 16, 1991, addressed to myself and signed by Dean E. Laundry, manager and secretary-treasurer. It encloses a copy of a motion passed by the Bancroft Public Utilities Commission on September 10, 1991, and it provides in part:

"Be it resolved that: The Bancroft Public Utilities Commission requests the province of Ontario to withdraw the sections of Bill 118 dealing with policy directives that would change the mandate of Ontario Hydro and force electricity customers to bear the cost of these directives in their rates; and

"Be it further resolved that: The Bancroft Public Utilities Commission requests the government of Ontario and Ontario Hydro to not finance social assistance programs and other government initiatives unrelated to Ontario Hydro's mandate through the cost of power."

I have a letter from North York Hydro, addressed to the member for Oriole. It is dated September 12, 1991, and it is signed by Carl Anderson, the chairman, Robert Dyer, vice-chairman, and Mayor Mel Lastman. It says in part:

"Our primary concerns relate to those clauses that permit any government of Ontario to use electricity revenues as an instrument for subsidizing social policy initiatives or other government programs not related directly to the conservation of electricity. The electrical industry, which includes Ontario Hydro and the municipal utilities, has been proud to deliver power at cost to our customers and feels any change to this principle to be an unwarranted tax grab without being accountable to the public."

The last letter is from the Renfrew Hydro Electric Commission, addressed to myself. It provides as follows:

"Although it is realized that the present Power Corporation Act is not perfect, we feel that many of the proposed amendments outlined in Bill 118 will detract from the original intent of electrical power at the lowest possible cost.

"It is important that Ontario Hydro and the electrical utilities remain as autonomous as possible. Ontario Hydro's 25-year projection plans are already behind schedule, and in the not-too-distant future, electric consumers in Ontario will be in trouble both supply-wise and price-wise.

"Other electric utilities with whom we have talked share our concerns, and the Renfrew Hydro Electric Commission would appreciate having the government give the consideration to the presentations by the Municipal Electric Association.

"Yours truly, the Renfrew Hydro Electric Commission."

Of course, I am sure the minister has received briefings from the Association of Major Power Consumers in Ontario and their substantive briefs presented by them, as well as the Municipal Electric Association, and I am only going to read a brief part of the position paper presented to the minister by the MEA. The concluding paragraph says:

"If electricity rates are used as a new source of taxation revenue for the government to use to finance its programs, then it is most certain that rates will increase, and we can't afford that. Higher rates will have a negative impact on commercial and industrial growth.

"Bill 118 is dangerous legislation, which permits the government to unilaterally make sweeping changes without using the democratic process. It allows the government to order Ontario Hydro to undertake any activity—related to the electricity business or not—and then make electricity consumers pay for it.

"Bill 118 was introduced without any consultation with the MEA, labour, business or the public. The MEA has tried, in meetings with the Ministry of Energy, to make constructive suggestions to change Bill 118. These suggestions have not been accepted.

"The MEA's 312 municipal electric utilities, representing 75% of the province's electricity consumers, are united in their opposition to the portions of Bill 118 outlined above. Therefore, it is embarking on a public campaign to fight Bill 118."

I want to leave this House today with one final question. Whatever or whoever was it that prompted this government to craft and introduce this bill into this House? Which group or groups were crying out for this change? Who wants government to use Hydro as a tool for carrying

out social policy initiatives and thereby drive up hydro rates? Surely not Hydro's ratepayers. Surely not labour, which has no wish to see employers and investors saddled with further operating costs that could result in business shutdowns and job losses. Surely not business, which is already itself besieged by the recession.

Energy Probe, the Municipal Electric Association, the Association of Major Power Consumers in Ontario and the Ontario Energy Board oppose this legislation in principle, so the question remains for the minister to answer: Who approached him or his predecessor and requested that this bill be introduced, or does the credit for the dangerous ideas found in this bill belong entirely to him and his predecessor?

I understand and I am pleased to hear that Bill 118 is going to be sent out to committee. I look forward to participating in that committee and to receiving submissions from the many concerned persons who have already contacted me. I am sure there are many more out there.

1630

Hon Mr Ferguson: Very briefly, I appreciated the comments of the member for Ottawa South, but let's be very clear. The honourable member has stated that it is my way or the highway. In fact, what the statement does not take into consideration is that prior to a directive being issued, the bill is going to require the minister to meet with the board of Hydro to discuss the implications of any policy directive.

I know we are going to hear this throughout the debate. We are going to hear about Kapuskasing and we are going to hear about Elliot Lake. Let's be very clear on the facts here, folks. The previous Liberal government enacted this legislation, an amendment to Hydro, and this is the operative clause. It enacted a clause, an amendment to the Power Corporation Act which allowed for economic development participation by Hydro where a regulation is passed. That power has already existed. That power is with us today.

This act does not prohibit or encourage that. Members opposite made that decision some time ago and now we hear the member for Ottawa South stand up and criticize it. Well, the members should have been talking to their friends a few years ago.

We are going to hear that Hydro is going to become a social agency and that there is a hidden tax. The fact of the matter is, Hydro produces an annual report. It is scrutinized by the Ontario Energy Board. I do not know a body that is more scrutinized than Hydro. If in fact there are any hidden costs, I am sure that will come out in its annual report and I am sure that will come out in the financial statements.

This is to tighten, make it a much closer working relationship with the province of Ontario, rather than conveniently say, "You go do your own thing so we don't have to take any responsibility."

Mr Callahan: I want to answer the question of my colleague the member for Ottawa South about who proposed this legislation and who is trying to use this legislation to create hidden taxes and reap hidden taxes from all

of the public of this province for social purposes. The answer to that is very simple. It is the NDP government. That is their secret proposal as to how they will do two things. First, they will fund the massive deficit that was created by the budget of the Treasurer. Second, this is how they are going to answer some of the questions of all those people who supported them on their saying they were going to do all these good things for these disadvantaged people and now find they do not have the money to do it.

In addition to that, what the government is going to do is drive business out of this province. Every little trickle of extra money that it costs businesses to carry on business just drives them closer and closer to Buffalo. The government seems to have a dream. Jobs do not just simply spring up out of the ground if it sprinkles a little seed here and a little seed there. Jobs are created by people risking their capital, operating particularly in a time of great recession where a couple of dollars here and a couple of dollars there can mean the difference between carrying on a successful business and going under.

If the government cannot recognize that, then I suggest it should plug in, because it is looking through rose-coloured glasses. It has absolutely no idea what is going on, it has no managerial skills and it is going to destroy this province.

Mr Daigeler: My colleague the member for Ottawa South has made reference to various letters he has received from communities across the province. I as well have received communication from the hydro commission in my city of Nepean. I am reading from a letter I received from the chairman, dated September 18, that came to my office just last Friday. He is urging me to make very clear with this new government that the function of Ontario Hydro should be to generate and deliver electricity to consumers in the province. The utility must not become an instrument of government social policy. Any initiative to deliver social programming through Ontario Hydro will be counter to the interest of the citizens of this great province.

In fact, the hydro commission did move a formal resolution to that effect. They have asked me as well to present this resolution to the House and to the Minister of Energy in particular. The resolution that was passed by Nepean hydro requested "the government of Ontario and Ontario Hydro not to finance social assistance programs and other government initiatives unrelated to Ontario Hydro's mandate through the cost of power." In addition to the communications that were presented to the member for Ottawa South, I would also like to put forward these concerns that have been expressed to me by the Nepean hydro.

Mr Sutherland: It is a pleasure to be back here. I want to comment on the member for Ottawa South, since he did read parts of a letter from the Woodstock Public Utility Commission, which is in my riding. I also received a copy of that letter. I want to deal with this argument about supporting social policies, because if I remember my history correctly in terms of the formation of Ontario Hydro and some of the reasons it was formed, Ontario Hydro was formed to help stimulate economic development

throughout the province by ensuring there would be adequate supplies of electricity at reasonable prices.

It was also there to ensure that the people of Ontario would get electricity to help increase their quality of life and their standard of life. I guess no one at that time called it a social policy, but in a sense that was, if you look at it, a social policy. More important, it was an economic policy, so I think some of the things people are calling social policy are consistent with the mandate in terms of how Ontario Hydro was established in the first place.

I also want to comment just a bit in terms of the impact on business. I have toured many of the industries in my riding, and some of my most competitive ones, the reason they are competitive is because they have already carried out energy audits, they have already made steps to improve their energy efficiency, and as a result their electricity bills and their energy bills are very low. That is helping them to be competitive.

I think if some other businesses carry out these types of audits they will find that they will have savings in the long run, and that will also help them to be competitive.

1640

Mr McGuinty: First of all, with respect to the minister's comments that the Power Corporation Act, as it presently stands, allowed the government to take the steps it did with respect to Elliot Lake and Kapuskasing or Spruce Falls, I disagree with that. Even if that power did exist—and there is reference in the Ontario Energy Board's report here to its contention that that power does not exist—what concerns me is that this government took advantage of that to set Ontario Hydro on a track which is completely different and beyond its traditional scope.

If we are going to get into discussing something as fundamental as altering the mandate of Ontario Hydro and having Hydro do anything other than engage in the activity of ensuring that we have a reliable supply of electricity at the lowest possible cost, that is something we ought to be reviewing on a case-by-case basis in this House. It is the type of initiative that ought to be reviewed carefully in this House and be subject to true democratic debate. We have tremendous concerns, given the track record of this government to date in dealing with the matter of Elliot Lake and Kapuskasing, as to what it might do in the future.

I want to thank the member for Brampton South for answering that question I had posed. It was rhetorical, but nevertheless I appreciate that response.

Mr Jordan: I believe that Bill 118, as I stated before, is a very bad bill, not only for Ontario Hydro but for the democratic process. What we are effectively doing here with Bill 118 is removing from this Legislative Assembly the opportunity to debate the policies under which Ontario Hydro will function. The plan of this government, right back to its throne speech, is to try to serve the people of Ontario without having to use nuclear energy. They have attempted to display to the people of Ontario that using nuclear energy is dangerous, that it is not a safe method, and they do not want it as a source of base generation.

Really, the purpose of Bill 118 goes right to that philosophy of this government. As I said earlier, in removing the

opportunity for changes in direction of Ontario Hydro to be debated in this Legislature, when this bill gets third reading they will be able to issue a directive directly to the chairman, chief executive officer and the board, and the action will have been taken. How then do we allow the people of the province to be informed? How do we allow them to participate in the regulations under which they are going to be asked to serve?

I have the feeling that some members of the government feel that they were the only ones elected, that the rest of us arrived here by some form of appointment, but I would like to remind each and every one of them that we, also, were elected by majority vote. We do represent the people of our riding, we do have the right to debate, and we do have the right to bring not only the feelings of the riding but the feelings and policies of our party to be considered by the people of this province. I cannot stress too much that this bill will basically remove that right in accordance with our relationships with Ontario Hydro.

Why would Ontario Hydro's board of directors, management, require this type of direction? Why would they require such direct policy straight from the Minister of Energy to the board of directors to be enacted without any knowledge to the people or the members of this Legislature? My feeling is that the reason they feel Bill 118 is required is that the policies they wish to initiate and put into effect are definitely not the wishes of the people of this province or the management of Ontario Hydro.

I would say that we are going to, through this bill, change Ontario Hydro from an electrical industry to an electrical service supplying minimum requirements. These policies have been used in other areas. The result was that the people found themselves with rationed amounts of power; they found themselves being directed by the government on the amount of power they could use; they found themselves with government intrusion into their private lives. Some utilities had representatives coming to the households, listing the appliances in the house, and through that, allotting X number of kilowatt-hours that that resident could use. If they overused they were penalized financially, and if they refused to come into line the service was discontinued.

I can say to you today, Mr Speaker, that if this bill is enacted in its present form we have given the power to the Minister of Energy to enact such policies as I have described, and you can see that the freedom of choice is being removed from Canadian life. I find it very disturbing that we as Canadians are going to be controlled in our private lives, in our private homes, as to the style of life we wish to live.

The blanket phrase is used that we, in Ontario and Canada, use more energy than other nations. Let's talk about Ontario. Ontario Hydro was commissioned originally for the purpose of generating and transmitting electrical energy. The distribution of the energy and sale of it was to be in the hands of the municipalities which, each three years, elect commissioners to implement the local policies they wish to see for their municipality, and all of the over 300 municipalities come together and exchange views on policy that they are using in their individual locations.

What we have under Bill 118 is the Minister of Energy directing an Ontario Hydro employee to my home to tell me how much energy I can use. They are going to try and convince me with financial incentives to change from my present form, if it should be electric, to some other form of fuel. At the present time it is natural gas. I do not think the elected officials of these utilities are ready to accept that form of dictatorship.

1650

My friend and colleague the member for Ottawa South has read several letters from utilities. I also have received several letters from them.

I have one from Smiths Falls Hydro: "On behalf of Smiths Falls Hydroelectric Commission, I am writing to express our opposition to Bill 118, An Act to amend the Power Corporation Act. Bill 118 threatens to destroy Ontario's long-cherished principle of power at cost by making electricity rates a new source of tax revenue for the provincial government.

"Under Bill 118, the provincial government would be able to issue policy directives that bypass the democratic process, that are binding on Ontario Hydro and that could force Hydro to do things that are outside its current mandate, the provision of safe, reliable electricity. In addition, Bill 118 would force Ontario electricity consumers to pay for these policy directives through their rates. This is totally unacceptable.

"We also object to the sections of Bill 118 that permit Ontario Hydro to subsidize fuel substitution through electricity rates. This is unnecessary, as market forces alone are enough to discourage certain types of fuel switching.

"The Smiths Falls Hydroelectric Commission supports the campaign of the Municipal Electric Association to change Bill 118 in the areas of policy directives and fuel substitution. The MEA position paper is enclosed for your information.

"Bill 118 is flawed legislation that sets dangerous precedents and allows a new hidden tax grab by the provincial government. We look forward to your support in our fight to change Bill 118."

I have other letters from my riding, from Renfrew Hydro, from Almonte Hydro and so on, and many letters from utilities, from Windsor through across Ontario. Many of these letters are basically saying what the member for Ottawa South expressed in reading them. I am not going to take the time of the House to read each individual letter, but really, if you stop and think about a democratic system, you have these elected commissioners right across the province representing the municipalities and they are strongly opposed to the bill. They are asking at least that it be amended in several areas or completely withdrawn.

I would say that if this government had a philosophy in favour of nuclear energy, Bill 118 would never have been introduced. This bill, in conjunction with the conservation program, which, as has been pointed out, is not working—I have asked the present chairman for information on that. I have yet to receive an answer.

But there is something here that we tend to overlook. First of all, the bill was introduced by the former minister in June and this amendment to the Power Corporation Act

combined the chairman's position with that of chief executive officer. They were in such a hurry that the bill got first reading and the chairman had already discussed and had already been accepted as chief executive officer. The committee had not reported on the qualifications presented to it. The bill has yet to be approved through the democratic process. It is going to be retroactive to the day it was introduced. So again, I see a dangerous way of using democracy by just going through the so-called steps that are required with the intention of no change anyhow. "This is what we are going to do. Yes, we may have to go through the steps, but this is what is going to happen and this is how we are going to operate this government and operate Ontario Hydro."

The Minister of Energy knows very well that his department is duplicating advertising on television. The Ontario Hydro marketing program is attempting to sell this conservation program. They are going to be attempting to sell this fuel switching, which the utilities resent very much. I wonder if the present minister has any understanding of what is actually taking place in spending the ratepayers' money to convince their neighbour to go from electric to gas or whatever. We firmly believe, as the association of electric utilities believes, that the marketplace will decide that.

But the danger of that is not only the cost being reflected on my hydro bill and your hydro bill; the danger is that you are going to be sending people into my municipality where I already have elected commissioners to look after my municipality. These people will be coming to tell my customers. We thought we were in charge of the retail, of the electricity in our municipality. We buy it wholesale from Ontario Hydro at the cost of production and transmission and then we retail it in the municipality. Now these programs are being implemented without any approval through our local commission, so in effect the cost is being transferred to the ratepayers of that municipality by direction of the Minister of Energy.

Why he wants to take that responsibility is beyond me when we have a democratic process in place to set retail rates. If Ontario Hydro was to stick to its original mandate of generation and transmission of power and leave the retail part of it to the municipalities that buy from Ontario Hydro and let them set the policies they want to set, whether it is for conservation or fuel switching or whatever—let them set those policies and if the people in that community are not in favour of them they will know it come three years after the election, and your democratic process is working and the people in Ontario have a choice.

Bill 118 has given that much power to the Minister of Energy that I really believe—I am aware that he has been recently appointed Minister of Energy, but I really wonder if the minister has sat back and looked at it himself to actually face the responsibility that he has taken on as minister for Ontario, because once he takes on the responsibility, he will become accountable. He will become accountable for the blackouts. He will become accountable to the people of Ontario.

He is not now just representing one municipality or one riding. He has accepted the appointment as Minister of Energy for the province. He cannot afford, with that responsibility, to allow these philosophies that he wants to promote to be promoted by introducing undemocratic processes, and that is what really is my concern about this whole bill. Why do we want to remove from the Legislature the right to debate policies to Ontario Hydro from this government? That is really all we are doing with this bill. The other parts of the bill are all relative to the government's having the power to implement the things it has been trying to have in effect in Ontario for some time.

1700

I can remember back when the first nuclear plant was built we had people who knew absolutely nothing about nuclear energy. They do not even know today that a nuclear generator is exactly the same as any other steam generator, except that the method of making steam is different. I can say to members that using nuclear to make steam is the cleanest, most efficient method we have, and through and in conjunction with the Atomic Energy Control Board of Canada we now have in place a safe storage system for the unspent fuel bundles.

If this government would stop hiding behind the fact that it is saying nuclear plants are too expensive and just come out and say, "It's a philosophy of ours that we don't like it and we're not going to allow it," then fine. But it keeps hiding behind saying, "The cost of a nuclear generating station is not realistic," and the people in Ontario are not prepared to accept it.

As I pointed out earlier, the other point is that in all of this will come the shrinking of this great electrical industry in Ontario to nothing but an essential electric service for essential services like televisions and computers. Anything else will be out. We may even have blackouts, as far as lights go, because if the minister has any experience in the utility field or if he has read about the capital costs or the operating costs, he will know it costs the same money to service a resident; whether it is electric or oil or gas, the kilowatt-hours, the transformer and the service wires you need, everything is required, whether you are just going to have lights and essential services or whether you are going to have a completely environmentally controlled home.

With the introduction of the heat pump, one of the most efficient methods of heating and cooling any building is well in place. The research has been done. Because it is becoming more attractive in the residential field and people are used to comfort, living in an environmentally enclosed area, the new homes are being built and insulated in such a manner that efficiency is there from day one. All we are doing with a heat pump is to reverse what we do with our refrigerator. In the summertime we take the heat out of the house and dispense it outside through the coil; in the wintertime we take the heat out of the air and bring it into the house and heat the house.

It is certainly something that should be looked at. At least, I would like to see the conservation program that has been sold so much starting to be implemented around here. When I walk out the doors at either end, with winter coming

on certainly it is going to take more than a visit from a conservation officer to change the heat loss there.

The other main point about this bill: I go back to the fact that all it does is to give the government the right to do whatever it wants with Ontario Hydro. Members have to think of the research, the engineering and the people who work for the utility. It was the people working for the utility who made it. If members look back over the history of Ontario Hydro, it put in many long hours to give continued service to the customer. When you start to shrink an industry, that morale starts to go down.

When you say, "Take the electric heat out of your house and put gas in," to me it is like General Motors. I go there to buy a car and they say: "No, I'm sorry, we can't produce any more cars because it's too expensive to put an addition on the plant. But go over to Ford and you can get one over there." Let's forget this expense idea that we are trying to promote for the electric. The cost at Darlington is relative to the mechanical end of the unit: the cooling tubes, the shaft and the generator. It would not matter which energy you used to make steam. That is not going to change mechanical problems in the unit. I find it a bit frustrating to try to tell people that.

Industry, the Association of Major Power Consumers in Ontario, along with the Municipal Electric Association are so upset and confused that they cannot sit down at a board of directors' meeting and recommend an expansion to a plant. They cannot recommend a new plant because it was Ontario Hydro supplying electricity at cost to this province that made it the industrial province it was a couple of years ago. If we remove that from this province, we have lost the biggest attraction we ever had. Members should look at the province of Ontario and at the industry in it and think about it and they will begin to realize it was a dependable supply of electricity at cost that gave the industrial and manufacturing people the confidence to go ahead and build and expand in Ontario. We are losing that.

I met and talked with members of both associations several times, the major power users and the Municipal Electric Association, and I cannot think of any more democratic way to get the feelings of the people of this province. We want an electrical industry in this province. We need it because the spinoff from it is just wonderful. Many other industries flow from that source of energy. It is like the oil well of Ontario to have what we have available to us here. We have the engineering and the technology. We have solved the safety problems of our nuclear stations. We have a storage system which, I am sure, if the minister has not visited it, the previous Minister of Energy did. We had that engineered and done in conjunction with the Atomic Energy Control Board of Canada.

We have a gift here on which we are turning off the tap. We are going to shut down an electrical industry in favour of conservation, environment and a philosophy of government that is not acceptable to the people of this province. I congratulate the minister that he has indicated he does have concerns with Bill 118 and that he is prepared for this bill to go to a legislative committee and listen to these groups and the average user of electricity in this province as to the effects this bill will have on the

supply of electricity, not only to the individual customer but to industry, manufacturing and, in the end result, to employment in Ontario.

Suppose we go along with nuclear energy and it is expensive. Then people will accept the fact that their rates are reflecting the cost of providing the energy they wish to have in this province. It is the same if you buy an automobile. You are going to have to absorb the cost because wages and materials went up and everything else, but you still want the automobile. You should have the choice of wanting the use of the electrical energy if you wish, especially in Ontario, where the technology is available and where we have not only been using it, but where it has been proven every day as being not only the cleanest, but one of the safest forms of generation.

1710

I wonder if our new Minister of Energy, coming from Kitchener where Sir Adam Beck had a great influence on the history of this great utility, would not be prepared basically to just withdraw the bill. I think the new minister would stand tall in the province of Ontario if he had the intestinal fortitude to withdraw that bill.

We have to think ahead to future uses for electricity, not just coming up with generation for the supply of energy that is required at this time. Take for instance the electric car. What is it going to do for the environment? It is going to be a wonderful solution in the cities and in any congested area where you have people travelling back and forth to work. It is going to be an excellent market for Ontario Hydro because it will be known as an off-peak load. The vehicles will be recharged during the night hours when the curve for use of electricity is at its lowest point.

This brings out the point about our transmission of power across the province. Suppose we had our generation in Toronto and we needed power in Cornwall. Would it make sense to just build a line from the generating plant in Toronto straight through to Cornwall, or would it make sense to tap into the line on the way—at Oshawa, Belleville, Kingston, Brockville, Prescott and so on—and pick up customers on that line? The net effect would be a lower unit cost, because the capital cost of building the transmission line would be the same, basically, whether you went straight from A to D or you tapped off and picked up customers along the way: positive marketing, as compared to this negative marketing under the guise of conservation which is going to bring nothing but deeper recession into the province.

I hope the new minister has consulted with the Association of Municipal Electrical Utilities. I believe he indicated that he had. I hope he has also consulted with the Association of Major Power Users.

Today in the House I was pleased to hear the minister say, "I am not in favour of putting the cost of social programs on to the individual hydro bill." As much as that statement was made today, we are fairly sure, if this bill is put into effect, that at least those are the nature of items that can be easily included in cost of power to the home. It may, in one way, not affect each individual as strongly as he may think. But what is it going to do to industry, as the previous speaker pointed out, when the economy is in the slump that it is in and every little competitive edge collectively

keeps us in business? One of the major ones, of course, is the supply of electricity.

In the riding of Lanark-Renfrew, we are fortunate that we have an abundance of hydraulic generation. We are also aware that, through the network of transmission, hydraulic generation is shared with the people across the province. The network is tied together and it feeds into a pool type of system.

But to think of some of the statements made by this government relative to other forms of generation to replace nuclear—that is really what it is. It is not that they are going to do it through conservation. As the member for Ottawa South said, conservation is not working and it will not work. It is like a fringe benefit: It is there, but it is very difficult to measure. You certainly cannot sit down with a company and explain to them where you are going to get your supply of electricity and say, “Well, I’m going to ask my neighbour to use a little less, and so on, and collectively I will have enough to supply you.” You just cannot do business that way.

The minister, having taken the responsibility—and he is willing to be accountable, I would say—will also be willing to consider the withdrawal of Bill 118; and certainly, if not its withdrawal, that we can have it through a legislative committee. Then the people I have mentioned, including the number of letters received from across the province—and as I say, these are not just from my riding; they are a good cross-section of the province of Ontario. I know the minister is aware of it, and I hope the real discussion and the real presentation on this bill can take place in that manner. Perhaps at that time we can at least have those sections amended, particularly the one where a directive goes directly from the minister to the Hydro board and is enacted.

Really and truly, in the interest of protecting the democratic process and the history of Ontario Hydro, those types of major directives should come through this Legislature. In that way, everybody benefits. Because, let’s face it, you may think, “I’ve covered all the bases and I have everything under control.” But the government should stop and think. It might get a good idea once in a while from an opposition member. It should remember that he was also elected and he is willing to take part in the government and in the governing of the province in whatever way the government leaves open.

Hon Mr Ferguson: I want to thank the member for his comments. I did listen to what he had to say. I think he will also agree with me that, along with the responsibility of the portfolio, I have become the accountability of the portfolio. It has never made much sense to me that this Legislature ought to be making suggestions to Ontario Hydro rather than provide direction. That is exactly what this legislation is trying to do, to provide a framework of direction, of policy guidance. It will be fully discussed by the Hydro board prior to being implemented.

Had that been in place, we might not be faced today with a situation where we have a nuclear plant operating at less than 60% efficiency, for which the ratepayers—not only the province, but the ratepayers in my community as well—have to pay \$13.5 billion worth. That just does not

make any sense. We are all here to represent individual constituencies. Obviously I have to make the decision in the best interests of the people of the city of Kitchener, much the same as you have to make decisions in the best interests of the people of the city of Cambridge, which you do quite aptly, I might add, Mr Speaker.

There is no hidden agenda here. We believe that with responsibility there should be a good measure and degree of accountability. That is exactly what this bill is intended to do.

1720

Mr Callahan: I always find it is better to read the explanatory note to determine what is being done by the bill, and I would like to read that for the people who are watching on television: “The bill would also include among the purposes to which the corporation’s income is to be applied purposes that are authorized or required by the regulations made under the act.”

The members opposite and the people out there will think regulations are something that have to be tested in the Legislature, but one of the things I learned as chairman of the standing committee on regulations and private bills is the fact that the regulations are called the silent laws of Ontario. They are not tested in the Legislature at all. They are passed by cabinet. Cabinet can pass any regulation it likes. The committee on regulations and private bills has to look at them and determine whether they fit into certain criteria, but it cannot touch the policy of those regulations.

What the minister does not realize, and I think he should get a handle on it with all due respect, is the fact that the clear explanation in the bill is that the cabinet can tell Hydro that it wants Hydro to increase hydro rates and that it wants that money to be directed towards a specific type of thing. Once the government starts interfering in the market like that, once it starts putting those additional costs on business, bye-bye business and the lights will go out in Georgia.

Mrs Marland: I am finding this afternoon’s debate very interesting. I am finding it very innovative, because I do not recall too often in this House where the minister gets up and uses the two-minute rebuttal time allocated to members in this kind of debate. Normally the minister makes notes, or if he or she is not in the House, the parliamentary assistant does, and their comments become incorporated in their final speech to the House.

I think what we are seeing this afternoon is particularly illustrative of this particular government. They know it is an absurd bill. The minister himself is so defensive of his poorly drafted, unnecessary legislation that he is up on his feet as soon as any of the speakers are finished, up on his feet for his two minutes’ rebuttal.

I think this is particularly significant, because in his heart of hearts—

Hon Mr Ferguson: Responsible government, Margaret, responsible government.

Mrs Marland: He is even interjecting now. He cannot wait to get on his feet for another two minutes. I think that it would be interesting for someone who had the time or the inclination to look back in earlier Hansards, maybe for

the last four or five years of two other parties, and take note of the number of times in this kind of debate where the two minutes for questions and comments on a previous speaker's presentation were in fact used by the promoter of the legislation on the floor at the time.

Mr Cousens: Mr Speaker, first of all, I would like to congratulate you on your appointment as a Chairman of the House, and I wish you great success in that position. It is great to see you there.

I would also like to compliment the member for Lanark-Renfrew for the way in which he has very directly dealt with this very important bill. The fact of the matter is that he has pointed out how unnecessary this bill is and the opportunity it gives the government to intrude into the whole process of the way in which the system is going to be run by fiat. By his own direct involvement he can then make happen what he wants to happen without following due process.

I would like to compliment the member for Lanark-Renfrew for the way in which he has approached this. I think there is an opportunity here for the government to work with opposition members who have far more experience in this matter rather than just going off on its own without considering something of the history that has gone into the development of Ontario Hydro.

I think the Power Corporation Act is really a power grab by the government trying to do its own thing without allowing the rest of the people of Ontario to understand what is going on. I know for a fact, from the comments by the member for Mississauga South and also by the member for Lanark-Renfrew, that this is not going to be an easy battle for the minister. I think it is something we will make sure the people of Ontario understand fully before it becomes law.

The minister will be able to do whatever he wants to do. We know that is the prerogative of government. The fact of the matter is that responsible opposition should cause him to rethink his position and to not necessarily go down this path just because someone has told him to do it since he became minister. There is far more involved in the provision of a constant source of power in this province than maybe what he thinks is involved.

I thank the member for Lanark-Renfrew for what he has done and I appreciate it.

Mr Jordan: I too feel that the new minister, from his experience on municipal councils and regional and so on, must be in contact with the members of the utilities. He must realize that the rate for Ontario Hydro will become very high as he lowers the units. That is the same as in any business. Once you make the capital investment, then your next objective is to make the best use of that capital investment.

I am saying to the minister that by leaving the valley of power to get deeper and deeper—I can tell him today that the peak will continue to grow regardless of these programs, that the peak required for 20 minutes during the day, morning and evening, will be required and it will grow. Even in a recession, it will grow because of new products and all the different things. As I mentioned earlier,

the electric car is going to be, in my personal opinion, very prominent around the cities and it is going to mean more to the environment than we can decide by saying nuclear is too expensive.

The only place I have found anyone questioning nuclear are the people who did not understand the storage of the waste. I would suggest the minister go to the new storage site near Winnipeg and have a look at it. I am sure once he sees it and understands how it is placed in the clay, and the safety and the money that has been spent there by very well educated people, he will lose any fear he has of the waste disposal regarding nuclear energy.

1730

Mr Huget: It is indeed a privilege for me to rise today to comment on the introduction for second reading of Bill 118, An Act to amend the Power Corporation Act. I would also like to thank the member for Ottawa South, the opposition Energy critic, and the member for Lanark-Renfrew, the third party Energy critic, for their comments. I think it is well known in this House that both members have a keen interest in energy matters in Ontario and I appreciate their comments.

As parliamentary assistant to the Minister of Energy, I rise to express my support for the initiative being pursued by my colleague the Minister of Energy and indeed by the government of Ontario.

The amendments being introduced for second reading are very significant. The people who will benefit from these changes will be the people of Ontario. Ontario Hydro will now be much more accountable to the people of Ontario. The amendments will strengthen the relationship between the government and Hydro. It is very important that we ensure that Hydro is able to increase the energy efficiency of this province.

Hydro is a statutory corporation. The government is accountable to the Legislature and the people of this province for Hydro's activities. It stands to reason that a stronger relationship between Hydro and the government is necessary. It is necessary to ensure that Hydro is accountable to the people of this province. It is also necessary to ensure that the government of this province can provide the necessary policy direction to Ontario Hydro.

It is important to understand that Hydro's actions can also have a major impact on the environment. It is important not to underestimate this fact. Hydro can and should provide a leadership role in meeting the environmental priorities of the people of Ontario.

It is also important not to underestimate the key role that Hydro plays in the economy of this province. Hydro activities can and do have a significant impact on the province's economic development and on social policy priorities. It is very important to note that the proposed changes to the Power Corporation Act will allow Ontario Hydro and the government to work together effectively to meet these priorities.

The people of the province of Ontario have benefited significantly from a tradition of public power. The government recognizes that there are some groups in this province that have called for the privatization of Ontario

Hydro. Let me point out that the general public has expressed no such desire. The people of Ontario have expressed again and again a need for increased accountability by Hydro and a greater level of responsiveness by Hydro to the concerns and needs of the public. The proposed changes to the Power Corporation Act will allow the government to meet these needs.

The government does recognize that numerous control mechanisms are in place. Ontario Hydro presently needs provincial government approval for all its major activities, such as power supply and purchase contracts, borrowing, electricity exports, land purchases and construction of facilities.

Our goal is not so much to increase this control; our goal very clearly is to make Hydro more responsive to public priorities and government policies. We have certainly accomplished this important goal with the proposed changes to the Power Corporation Act. The current act is being changed to remove the ambiguity about the roles of government and Hydro. The proposed amendments will clarify the government's responsibility for setting the province's policy direction and the expectation that Hydro will carry out that policy.

The act will also require the government to consult with the Hydro board on the content and effect of policy directives. The requirement reflects the board's important role and responsibilities in ensuring that the needs of the people of Ontario are met in the best possible way.

Providing the government with a directive power is certainly not new. The Financial Administration Act, for example, enables the federal government to direct its public corporations. It also provides for consultation on the content and effect of directives.

Hydro has always been able to play a role in implementing government policy, provided that a complex set of procedures and approvals were met. The complexity of this process has often hindered the efficient implementation of policies designed to meet the energy needs of the province.

In the past, previous governments have circumvented the process by providing informal policy direction in closed sessions with Ontario Hydro. This government does not feel that is in the best interests of the people of Ontario. This government does not feel that the people of Ontario have been served by that closed-door process. That is why the government will simplify the process. The process will be open and in full view of the people whom Hydro is meant to serve.

The government has the ultimate authority to act in the public interest. This government will exercise that responsibility in its dealings with Ontario Hydro. We will ensure that Hydro's activities are always in the best interests of its customers, the people of Ontario. That is what people expect from the government of Ontario, and that is exactly what the government of Ontario will deliver.

Mrs Marland: The parliamentary assistant says that their government is going to do what the people of this province want. What the people of this province want and what they have grown to expect is to get their energy at cost. They do not expect to pay more than they absolutely

have to, and even today, to get their energy at cost, for a lot of them, especially in the consumer residential use and also in the industrial use, because the cost of the provision of electricity in this province has increased, those people are finding it very difficult to pay for that energy that they need: the energy that they may need to stay in business, the energy that they may need to drive their equipment in their manufacturing plants, let alone the energy to heat and cool their places of work.

To say that they are going to do what the people of this province want is outrageous. It is so outrageous, because in fact it is not what is going to happen. They are not going to get what they want through the purchase of their energy, and this government knows as well as I do that this bill allows anything else that it wishes to be included in the cost of energy, and that is an outright scam. It is an absolutely disgusting policy direction for this government to be going in.

Mr Huget: I am somewhat distressed by the member of the third party who has taken it upon herself to decide what is and what is not a scam. I quite frankly find that attitude very offensive, but none the less I think it is in the best interests of the people of Ontario in particular that that type of derogatory statement is not made in this House.

The people of this province have said over and over again that they want Hydro to be accountable to the government, and it will be with the amendments to the Power Corporation Act. There is no question in my mind that my minister and my government are prepared to act in the best interests of the people of Ontario, as it should be. There is no question in my mind that previous governments have acted behind closed doors in informal policy sessions to set the directions of Ontario Hydro. I do not believe that this process serves the people of this province well, and it is a process that I will cheer on its departure in terms of the way decisions are made in Ontario Hydro. I look forward to the amendments to the Power Corporation Act to return Hydro to the people of this province.

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Mr McClelland: Mr Speaker, I too join my colleague the member for Markham, who has already expressed to you, sir, congratulations for occupying the chair today for the first time. I think it is a credit to this House to have you sitting there and I look forward to working with you and our colleagues in this House under your chairmanship. It is indeed a pleasure to be among the first speakers as you sit there.

I welcome the opportunity to make, hopefully, some relatively brief comments on Bill 118, An Act to amend the Power Corporation Act. My colleague the critic for Energy from the Liberal Party, the member for Ottawa South, has very effectively, in his usual first-rate style, set forth in a very systematic way some of the issues that are of concern both to myself and to colleagues on this side of the House with respect to the substantive elements of Bill 118.

It is from time to time seen in this House as a process that we go through in looking at legislation and trying to critique it. Every person in Ontario ought to be fundamentally involved and interested in the debate that takes place

here today and that under the undertaking given by the Minister of Energy, it will be taken to the people across the province in committee some time in the near future.

One of the key components to the success of the manufacturing sector and the job creation history we have enjoyed in Ontario has been energy availability for industries to facilitate manufacturing, construction, setting up plants in this province.

I am very concerned about the long-term effects of what is beginning to take place through the implementation of Bill 118. As I said, every individual ought to be concerned about what is taking place here. It affects them not only as consumers of energy within their own homes—it is a very fundamental issue—but also with respect to the business community. I believe that has been alluded to by a number of speakers.

Let me talk for a minute, if I could, about what will happen to the consumer in the home. One of the fundamental tenets of Ontario Hydro has always been, as has been stated again and again by colleagues on this side of the House, to provide power to the consumer at cost. We are potentially departing from that path today with the introduction of this bill for second reading. It has already in fact happened. I will allude to that in a few moments in my comments, how the government of the day has already fundamentally departed from the principle of providing power at cost for the people of this province.

It will have dramatic impact on the householders, on the consumers. Men and women in this province, when they start to receive their bills, will wake up and will respond to the government. I say to my friends in the back benches of the New Democratic Party they have not seen anything yet. They can rest assured they will be hearing from people in their communities. Ultimately, when they come to pass judgement on what has taken place in the tenure of this government, let the government opposite bear in mind that they will be looking to it to account for the tremendous cost increase I believe will be forthcoming as a result of this ill-conceived policy.

I believe they have only begun to see what will be an unprecedented escalation in the cost of energy being provided to them in their homes. We have forecasts of significant increases this year, well above 10% in some cases, above 20% in other municipalities. Those bills are starting to arrive in people's homes and people will become aware of it. They will be calling my friends opposite in the back benches and asking them to explain what is going to happen down the road.

I heard the minister today, in response to a question, say it was absurd to speculate that we would be looking at increases in the order of 40% or more. I suggest those words be marked very well and marked very carefully. I am not one to stand here and try and prophesy the future, because none of us knows what will happen, but I believe firmly that the minister is on very thin ice to suggest he will not see unprecedented rate increases over the next couple of years. They are beginning now as a result, in part, of what the government is doing and the direction the government is taking.

The minister indicated in his opening comments today that wide consultation had taken place prior to the introduction of Bill 118. Why is it, then, that if that broad consultation took place, the Municipal Electric Association, which represents virtually 75% of the consumers of electricity in this province, is absolutely opposed to this legislation? They are unanimously opposed to this legislation and have stated that very clearly to the minister. He has received documentation to that effect. If that is the case, of what effect was this consultation? People who are involved in the delivery at the local level, people who represent electrical associations across this province, have stated they are fundamentally opposed to this and object very strenuously to some of the provisions of this bill. It flies in the face of the concept of delivering energy to people at cost, which is at least something we can project and deal with on a rational basis.

We have had a similar discussion about other legislation that has been brought forward. There are any number of mixes that take place in business decisions that are made. One of those ingredients in the mix is the cost of energy. It is difficult, virtually impossible, to pinpoint it and say that as a result of increases in energy of 1%, 2%, 11%, 20%, indeed 44% over the next two or three years, X number of jobs will leave Ontario or not come here. We cannot say with certainty what impact it will be, but we can say with certainty that there will be a negative impact on the economy. There will be a negative impact on household economies. Men and women who are trying to make monthly payments, who are stretched to the limit, who have had it up to here with tax increases, are not well disposed to hearing about a hidden tax. It quite frankly is not going to be hidden very much longer.

They are not going to get away with it, I say to my friends opposite, with the tax that is coming through disguised in this method. Very shortly, they are going to be hearing from people all across the province who are going to be objecting to the increases they are putting on them as a result of this policy and they will stand accountable for the tax increase they are effectively imposing by the back door, to use their own words.

Over the next few weeks, this bill will be considered and will be debated. To this point in time, it has been indicated by speakers that Bill 118 fundamentally changes the way Ontario Hydro works. It begins to open up the door. In fact, it does not only begin to open up the door but it opens it up very clearly and widely, basically saying that the provincial government can issue policy directives that are binding on Ontario Hydro, give it a direction in which it must go and give it a direction that must be implemented.

In fairness, the bills says they will consult first with the board of directors, but having consulted—and we know the record of the government opposite with respect to consultation: “This is the way we want it to be. We’re going to lay it down and this is what you are going to do”—the government has the opportunity and the power under this act to set out policy directives that it will impose upon Ontario Hydro. Having done that, they give them the back-door escape and say: “It’s okay, because if we tell you to do it, you’re not going to be responsible. In fact, we’re not

going to hold you accountable for the decisions we make you make."

For the people who are watching, if they follow what is taking place here or understand that, the government goes to the board of directors of Ontario Hydro and says: "Here's what we want to do. What do you think about it? By the way, if you don't like it, it's okay because we'll tell you what to do and you don't have to be accountable for that. We're going to let you off the hook because we're going to take it."

The minister stands in his place and says, "That's because we want to be accountable," recognizing the fact that most of these decisions will be made in cabinet behind closed doors and they will be a fait accompli before they ever see the light of day. They will not be debated. They will not be given an opportunity to be vetted through the process of this House and through the elected democratic process we have.

The Conservative critic made very plain his concerns about that. We share those concerns. There is a fundamental principle involved here that goes much beyond a substantive portion of this bill as well. It is a matter of principle with respect to saying, on the one hand, "We want to be accountable" and, on the other hand, saying, "We're providing a vehicle by which we can do it without any public accountability until after the fact, until it is done and things are under way." I find it quite frankly distressful, and I might even say somewhat offensive, that a government that espouses openness, that espouses response to people in this province would do this at this time.

I also feel one of the things that is going to happen as a result of this bill is that we are going to see people just absolutely fed up with the increases they are seeing. I suggest that as we approach municipal elections this fall, we are going to hear like we have never heard before the sense of frustration people have with all levels of government, with respect to school boards and municipal councillors and regional governments. On top of that, at a point in time when people in elected office across this province are being challenged to respond to men's and women's concerns about the tax load they must bear, the government opposite is laying down a path that says we are going to add on a tax—

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Mr Callahan: Secretly.

Mr McClelland: —secretly that the consumer will pay for, and by the way he is not even going to know about it until after it is done.

It was interesting that in debate today, and it has been raised both in questions and comments today, the question was, "Would you want to proceed with using Ontario Hydro as a vehicle to advance your social policy?" and the answer has been a resounding no. But what has happened today? What is consistent with what has happened under the current government? Where have the dollars and cents gone, and what has been the impact in terms of the increased costs that were announced about two weeks ago in the average hydro costs across this province, 11%, 12%, in some cases more, depending on the locale? What was the

response? "Well, those are costs that are folded into the cost of providing the service."

But they are not only that, and I say to the minister that if he is going to stand in his place and say that he wants to be accountable, he should come clean and lay out exactly what it is he wants to do and what he has done. The minister has already taken advantage, in a way, of the expanded powers he is contemplating by directing Ontario Hydro to provide some \$250 million in the form of an economic package for Elliot Lake.

I do not have an objection to the government's making that decision as a government, if it chooses to do that. That is its prerogative. I may disagree with the decision, but it is entitled to direct the funds of the province of Ontario as it sees fit. But surely the minister should have the courage of his convictions and stand in his place and say, "We are putting the money out of general revenues because we have an economic program and a policy that we want to bring to bear on that particular locale." But what does he do? He says: "We're going to spend \$250 million in a given part of the province. We're already in trouble with our budget. We're well over \$9.7 billion in debt. Goodness knows, it could be \$12 billion or more. We don't know how we are going to handle that because we're going to have to cut back and that is tough for us to do. One way we can do it is to maybe slide some of those millions of dollars on to the Hydro rate."

That is what they have done. When people began to understand that after all the government's rhetoric about how it is going to deal with things forthrightly and honestly, it begins to slide off some of the cost of doing the business of government in a hidden form, I think my friends opposite in the New Democratic Party will hear their phones ringing off the hook. They will begin to get a response from their constituents like they have never heard before. The honeymoon is over and they are going to hear about it on this and other issues, but this will be one of the telling elements in terms of their first year. After they have had their first year, coming back for year two, the first thing they bring on back here is a tax grab, the first item of business coming back for their second year in power.

I know the minister has a job to do. The minister stands in his place to do his job and he will do it well, with all the bluster he had on the front benches, and it will be kind of fun. But it must kind of stick in his craw, knowing him as the type of person he is, I would think. It is going to be very difficult for him to know that what he is doing is sliding a tax grab on to the people of Ontario, the men and women who are having a tough time making a go right now, and putting it on here, on the first order of business. What a terrible thing to have as his first order of business as a new minister, to come in here saying, "I am going to hit the people of Ontario with 11%, 12% this year." Should he survive in cabinet in that portfolio for three years, the legacy that he will leave for his successor—

Mrs Marland: You look so gorgeous today.

Mr McClelland: Sometimes it is very difficult, with the member for Mississauga South, but I admire her charm

and her encouragement as we participate in the debate today.

The minister will look back at a legacy of an increase that has been projected by the Premier's own appointee of some 44%. Will it be 44% or will it be more? That is the legacy they are beginning to sow the seeds of with this legislation. There will doubtless be comments from the members opposite about how that just is not going to happen, and I hope they are right, but I think the writing is on the wall.

We talked very briefly about Elliot Lake and what happened with that \$250 million. It is not an issue of social policy, not at all, but \$65 million of it goes to where? The Northern Ontario Heritage Fund Corp. It does not sound very much to me to be about the cost of energy. I do not understand. Pardon me, maybe in the two-minute rebuttal, if we have it, the minister will help me understand how that \$65 million in the Northern Ontario Heritage Fund Corp has a direct impact and direct relationship on the cost of producing power and providing it to the people of Ontario.

We are approaching the time when we are going to be adjourning, but we are going to get into the Smiths Falls area and the amount of money that was put into that. Do the people of Ontario understand up to this point in time that they are subsidizing through their hydro rates \$250 million into a community in the north? Most of us are happy to see that some initiatives are being taken to help out that community, but how are we going to respond? What is going to be the response of the government? Is this the thin edge of the wedge that will say, "When we have a problem to deal with in one-industry towns in certain locales that are economically depressed or having a difficult time, we can use Ontario Hydro as a vehicle to fund it and you men and women across the entire province are going to pay for it and you are going to pay for it without having the opportunity of it being debated in the format of a budget, represented as a tax forthrightly and directly to the people of the province so at least they know what they are getting and why they are paying for it"?

There are men and women out there who are paying taxes and they are conscious of the fact that we have a lot of hidden taxes. As they become aware of this, this is yet one more and it is not going to be hidden any longer. I pledge to all my colleagues here, as will my friends on this side of the House, that the government will not be allowed to put this through with its being hidden. This matter will go out for public debate and people are going to hear about it and they are going to know that the government is laying another layer of tax on them. I encourage people, as they understand that, to call the Minister of Energy's office, to write him, to write their local MPPs, to write their New Democratic members of provincial Parliament across this province and say they object to the fact that a tax layer is being laid down on them without being told forthrightly and honestly that this is exactly what is happening.

Earlier in the debate the minister indicated that the natural gas producers endorsed this and thought it was a great bill. I was shocked. Imagine that. Imagine the fact that people who are already producing energy at about one third of the rate are pleased that the cost of hydro is going to go up 44%. I am not an economic genius, but it certainly did not surprise me a whole lot to hear that the three main gas suppliers in this province are pleased that hydro rates are going up.

I would like to spend some time talking about the issues of cost and supply and security of supply and those related issues, but time does not permit that at this point. As we are approaching 6 of the clock this evening, I would now move adjournment of the debate and continue this happy occasion at some other time.

The Acting Speaker (Mr Villeneuve): Members will have a moment some time in the future to participate in the debate and have their moment in the sun. However, at this time this House will now stand adjourned until Tuesday, September 24, at 1:30 of the clock.

The house adjourned at 1759.

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Jordan, W. Leo (Lanark-Renfrew PC)

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Ap de la ministre des Affaires civiques, déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales

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 Whip adjointe de l'opposition
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 Sterling, Norman W. (Carleton PC)
 Stockwell, Chris (Etobicoke West/-Ouest PC)
 Sullivan, Barbara (Halton Centre/-Centre L)
 Sutherland, Kimble (Oxford ND) PA to Chairman of the
 Management Board of Cabinet; Vice-Chair, standing
 committee on finance and economic affairs/Ap du
 président du Conseil de gestion du gouvernement,
 vice-président du Comité permanent des finances et des
 affaires économiques
 Swarbrick, Anne (Scarborough West /-Ouest ND)
 Tilson, David (Dufferin-Peel PC)
 Turnbull, David (York Mills PC)
 Villeneuve, Noble (S-D-G & East Grenville/S.-D.-G. &
 Grenville-Est PC) Second Deputy Chair of the Committee
 of the Whole House/Deuxième vice-président du Comité
 plénier de l'Assemblée législative
 Ward, Brad (Brantford ND) PA to Minister of Industry, Trade
 and Technology with responsibility for trade and technology/
 Ap du ministre de l'Industrie, du Commerce et de la
 Technologie et délégué au Commerce et à la Technologie
 Ward, Margery (Don Mills ND) PA to Minister of Government
 Services/Ap du ministre des Services gouvernementaux
Wark-Martyn, Hon/L'hon Shelley (Port Arthur ND) Minister
 of Revenue/Ministre du Revenu
Warner, Hon/L'hon David (Scarborough-Ellesmere ND)
 Speaker; Co-Chair, special committee on the
 parliamentary precinct/Président, coprésident du Comité
 extraordinaire de l'enceinte parlementaire
 Waters, Daniel (Muskoka-Georgian Bay/Muskoka-Baie-
 Georgienne ND) PA to Minister of Tourism and Recreation;
 Vice-Chair, standing committee on resources development/
 Ap du ministre du Tourisme et des Loisirs, vice-président
 du Comité permanent du développement des ressources
 Wessinger, Paul (Simcoe Centre/-Centre ND) PA to Minister
 of Health/Ap de la ministre de la Santé
 White, Drummond (Durham Centre/-Centre ND) Chair,
 standing committee on administration of justice;
 Vice-Chair, standing committee on the Ombudsman/
 Président du Comité permanent de l'administration de la
 justice, vice-président du Comité permanent de l'ombudsman
Wildman, Hon/L'hon Bud (Algoma ND) Minister of Natural
 Resources, minister responsible for native affairs/Ministre
 des Ressources naturelles, ministre délégué aux Affaires
 autochtones
Wilson, Hon/L'hon Fred (Frontenac-Addington ND) Minister
 of Government Services/Ministre des Services
 gouvernementaux
 Wilson, Gary (Kingston and The Islands/Kingston et Les Îles ND)
 PA to Minister of Culture and Communications/
 Ap de la ministre de la Culture et des Communications
 Wilson, Jim (Simcoe West/-Ouest PC)
 Winner, David (London South/-Sud ND) PA to Attorney
 General, PA to minister responsible for native affairs/Ap
 du Procureur général, ap du ministre délégué aux Affaires
 autochtones
 Wiseman, Jim (Durham West/Durham-Ouest ND) PA to
 Minister of Correctional Services/Ap du ministre des
 Services correctionnels
 Witmer, Elizabeth (Waterloo North/-Nord PC)
 Wood, Len (Cochrane North/-Nord ND) PA to Minister of
 Natural Resources/Ap du ministre des Ressources naturelles
Ziemba, Hon/L'hon Elaine (High Park-Swansea ND)
 Minister of Citizenship, minister responsible for human
 rights, disability issues, seniors' issues and race
 relations/Ministre des Affaires civiques, déléguée aux
 Droits de la personne, aux Affaires des personnes
 handicapées, aux Affaires des personnes âgées et aux
 Relations interraciales

**COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS DE L'ASSEMBLÉE LÉGISLATIVE**

STANDING COMMITTEES/COMITÉS PERMANENTS

Administration of justice/Administration de la justice

Chair/Président: Drummond White

Vice-Chair/Vice-Président: Mark Morrow

Members/Membres: Gary Carr, Robert Chiarelli, Derek Fletcher, Evelyn Gigantes, Charles Harnick, Irene Mathysen, Gordon Mills, Jean Poirier, Gregory S. Sorbara, David Winninger

Clerk/Greffière: Lisa Freedman

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson

Vice-Chair/Vice-Présidente: Margaret Marland

Members/Membres: Gary Carr, Hans Daigeler, Will Ferguson, Karen Haslam, Paul R. Johnson, Wayne Lessard, Dalton McGuinty, Lyn McLeod, Anthony Perruzza, Gary Wilson

Clerk/Greffier: Franco Carrozza

Finance and economic affairs/

Affaires économiques et financières

Chair/Président: Ron Hansen

Vice-Chair/Vice-Président: Kimble Sutherland

Members/Membres: David Christopherson, Norman Jamison, Monte Kwinter, Gerry Phillips, Norman W. Sterling, Chris Stockwell, Barbara Sullivan, Brad Ward, Margery Ward, Jim Wiseman

Clerk/Greffier: Todd Decker

General government/Affaires gouvernementales

Chair/Président: Remo Mancini

Vice-Chair/Vice-Président: Michael A. Brown

Members/Membres: Donald Abel, Gilles Bisson, Dennis Drainville, Noel Duignan, Margaret H. Harrington, George Mammoliti, Bill Murdoch, Yvonne O'Neill, Ian G. Scott, David Turnbull

Clerk/Greffière: Deborah Deller

Government agencies/Organismes gouvernementaux

Chair/Président: Robert W. Runciman

Vice-Chair/Vice-Président: Allan K. McLean

Members/Membres: James J. Bradley, Robert Frankford, Bernard Grandmaître, Karen Haslam, Pat Hayes, Dalton McGuinty, Tony Silipo, Chris Stockwell, Daniel Waters, Jim Wiseman

Clerk/Greffier: Douglas Arnott

Legislative Assembly/Assemblée législative

Chair/Président: Noel Duignan

Vice-Chair/Vice-Présidente: Ellen MacKinnon

Members/Membres: Mike Cooper, Robert Frankford, Norman Jamison, Margaret Marland, Irene Mathysen, Carman McClelland, Gilles E. Morin, Hugh P. O'Neil, Stephen Owens, Noble Villeneuve

Clerk/Greffier: Douglas Arnott

Ombudsman/Ombudsman

Chair/Président: Mark Morrow

Vice-Chair/Vice-Président: Drummond White

Members/Membres: Alvin Curling, Joan M. Fawcett, D. James Henderson, Peter Kormos, George Mammoliti, Bill Murdoch, Margery Ward, Paul Wessinger, Jim Wilson, Elizabeth Witmer

Clerk/Greffier: Franco Carrozza

Public accounts/Comptes publics

Chair/Président: Robert V. Callahan

Vice-Chair/Vice-Présidente: Dianne Poole

Members/Membres: James J. Bradley, Sean G. Conway, Mike Cooper, W. Donald Cousens, Christel Haeck, Pat Hayes, Paul R. Johnson, Ellen MacKinnon, Lawrence O'Connor, David Tilson

Clerk/Greffière: Tannis Manikel

Regulations and private bills/

Règlements et projets de loi d'intérêt privé

Chair/Président: Ron Hansen

Vice-Chair/Vice-Président: Lawrence O'Connor

Members/Membres: Donald Abel, Will Ferguson, Derek Fletcher, Leo Jordan, Ellen MacKinnon, Frank Miclash, Tony Ruprecht, John Sola, Kimble Sutherland, Jim Wilson

Clerk/Greffier: Todd Decker

Resources development/Développement des ressources

Chair/Président: Peter Kormos

Vice-Chair/Vice-Président: Daniel Waters

Members/Membres: Ted Arnott, John C. Cleary, George Dadamo, Bob Huget, Leo Jordan, Paul Klopp, Sharon Murdock, Steven Offer, David Ramsay, Len Wood

Clerk/Greffier: Harold Brown

Social development/Affaires sociales

Chair/Présidente: Elinor Caplan

Vice-Chair/Vice-Président: Joseph Cordiano

Members/Membres: Charles Beer, Christel Haeck, Randy R. Hope, Gary Malkowski, Tony Martin, Lyn McLeod, Stephen Owens, Tony Silipo, Jim Wilson, Elizabeth Witmer

Clerk/Greffière: Lynn Mellor

SELECT COMMITTEE/COMITÉ SPÉCIAL

Ontario in Confederation/

Rôle de l'Ontario au sein de la Confédération

Acting Chair/Président suppléant: Dennis Drainville

Vice-Chair/Vice-Président: Gilles Bisson

Members/Membres: Alvin Curling, Ernie Eves, Evelyn Gigantes, Charles Harnick, Margaret H. Harrington, Gary Malkowski, Irene Mathysen, Steven Offer, Yvonne O'Neill, David Winninger

Clerk/Greffier: Harold Brown

SPECIAL COMMITTEE/COMITÉ EXTRAORDINAIRE

Parliamentary precinct/Enceinte parlementaire

Co-Chair/Coprésident: David Warner

Co-Chair/Coprésident: Noel Duignan

Members/Membres: Dianne Cunningham, Remo Mancini, Kimble Sutherland

Clerk/Greffier: Smirle Forsyth

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